

December 20, 2007

Mr. Alex Balboa
1996 Waverly Drive
Bel Air, MD 21015-1100

Dear Mr. Balboa:

On behalf of the Nuclear Regulatory Commission (NRC), I am responding to your email dated October 14, 2007, regarding your concerns involving security at our Nation's commercial nuclear power plants. In your email, you quoted a number of news media articles describing occurrences of inattentive security guards at various power plants. You requested that the NRC review these occurrences, coordinate with other federal, State and/or local jurisdictions, and implement an action plan to address these issues.

First, I note that the NRC does not have tolerance for sleeping security officers, particularly when complicity is involved. That said, even with the inattentiveness issue of security officers at Peach Bottom Atomic Power Station and the other facilities you mention, at no time were the residents in the vicinity of these sites ever at risk. Nuclear power plants are well protected by physical barriers, armed security officers, intrusion detection systems, area surveillance systems, and access controls. Nuclear plant security does not rely on any one individual or one security system. Multiple layers of defense would have to be successfully exploited to result in conditions adverse to public health and safety. This robust level of security, which has existed for decades, was further strengthened following the September 11, 2001, attacks. The NRC moved aggressively to comprehensively re-evaluate the threat environment, the security of licensed facilities and materials, and the conduct of emergency operations. Following these reviews, the NRC strengthened security requirements, improved coordination across levels of government and with industry, and integrated and overlapped various defensive strategies to enhance defense in depth. The defense in depth required at commercial nuclear power plants makes these facilities the best protected civilian infrastructure in the United States. Safety and security are and remain NRC's highest priorities.

Regarding your specific concerns involving inattentive security officers, our actions have not only been focused on the particular nuclear power plants, but also on the commercial nuclear power industry as well. For example, when the NRC became aware of the video showing inattentive security officers at the Peach Bottom facility, the NRC promptly took steps to provide additional inspection at the site to evaluate performance and to ensure that conditions adverse to site security did not continue to exist. The NRC also dispatched an Augmented Inspection Team (AIT) to collect, analyze, and document factual information and evidence sufficient to determine the causes, conditions, and circumstances pertaining to the event. Additionally, to inform the public, the AIT conducted a public meeting on October 9, 2007, in the vicinity of Peach Bottom to describe the details of the inspection and to respond to numerous questions from the public. The results of the AIT were documented in an inspection report issued November 5, 2007, which is enclosed for your information. During this inspection effort, the NRC also communicated with various State and local officials describing our actions and the potential impact of inattentive security guards on power plant security. A second public meeting was held on December 3, 2007, to inform the licensee of additional NRC inspection findings and to again respond to questions from the public. In addition, the NRC has confirmed that the Peach Bottom licensee will conduct its own investigation, report its conclusions and causes of the event, and describe its corrective actions to preclude recurrence and improve security performance.

A. Balboa

To assure security officer duties were being performed appropriately at all commercial nuclear power reactors across our Nation, the NRC's resident inspectors¹ performed additional oversight of security officer performance. Although site security is routinely observed by our resident inspectors, the NRC directed its residents to conduct additional random checks and unannounced inspections at site security posts during normal working hours and on weekends and backshifts. Further, the NRC issued a security advisory to all commercial reactor licensees to highlight these incidents and to re-emphasize licensee roles and responsibilities in this area and NRC requirements regarding security officer attentiveness to duty. The NRC issued another generic communication (called a "Bulletin") on December 13, 2007, requiring all licensees to provide among other things, responses to our questions regarding, in part, licensee programs that help ensure attentive security officers. And lastly, the Commission has affirmed (i.e., approved) a revised rule to strengthen various regulatory requirements described in Title 10 of the *Code of Federal Regulations* (10 CFR) Part 26, "Fitness for Duty Programs." This affirmed rule will further enhance the defense in depth existing at commercial power plants by codifying the fitness-for-duty compensatory measures promulgated by our April 29, 2003, Order to commercial power reactors, which we issued following the terrorist acts of September 11, 2001. We believe that these site-specific and generic actions are commensurate with our current understanding of the identified conditions and should correct and preclude recurrence of similar issues; however, some of our reviews continue and so additional actions may be forthcoming.

I want to assure you that security at nuclear power plants is of the utmost importance to the NRC and our ongoing review of security officer performance at Peach Bottom and other nuclear power plants throughout our Nation will be thorough and comprehensive. The NRC remains confident that nuclear power plants continue to be among the best protected private sector facilities in the Nation.

Should you require additional information or want to discuss any additional thoughts, please feel free to call my Deputy Director for the Division of Security Operations, Mr. Richard Correia, at 301-415-6828.

Sincerely,

/RA/

Roy P. Zimmerman, Director
Office of Nuclear Security and Incident Response

Enclosure: As stated

¹ Two or three NRC resident inspectors are assigned to each operating commercial nuclear power plant. These "resident inspectors" perform inspections to help ensure the safe operation of the facility.

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