

The Honorable Dale E. Klein
Chairman
U.S. Nuclear Regulatory Commission
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Washington, D.C. 20555-0001

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Your ref:
Our ref: DCP/NRC1892

May 17, 2007

Subject: Safeguards Access Request

Dear Chairman Klein:

I am requesting that the Nuclear Regulatory Commission authorize Westinghouse Electric Company to have independent control of Safeguards Information under 10 CFR Part 73. Authorization is needed for Westinghouse to assist the industry in the engineering and construction of nuclear power plants, in conformance with Nuclear Regulatory Commission security requirements. In November 2004, Westinghouse obtained a Security Cognizance Agreement between the Department of Energy (DOE) and the U.S. Nuclear Regulatory Commission (NRC) whereby the DOE maintains security responsibility and oversight of NRC interest within Westinghouse. At that time Westinghouse understood that DOE was its Cognizant Security Agency in accordance with 10 CFR 25 and 10 CFR 95 and that all relevant National Security Information was covered, including Safeguards Information. A NRC transmittal to Westinghouse on May 8, 2007 indicated that the above agreement alone does not permit Westinghouse to have an independent access to Safeguards Information under 10 CFR 73.

Currently Westinghouse's authorization to control Safeguards Information is sponsored by the Southern Company. This arrangement with the Southern Company has been considered temporary, until NRC authorizes Westinghouse Electric Company to control Safeguards Information under its own program. Westinghouse is prepared to share its current program requirements with the NRC immediately upon request.

We are prepared to implement the necessary program as soon as authorization is received from the NRC. I would appreciate your assistance in expediting this authorization. Please contact me if you would like to discuss this further, or have your staff contact Mr. Andrew Pfister at 412-374-4663.

Very truly yours,



W. E. Cummins
Vice President
Regulatory Affairs and Standardization

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