

YANKEE ATOMIC ELECTRIC COMPANY

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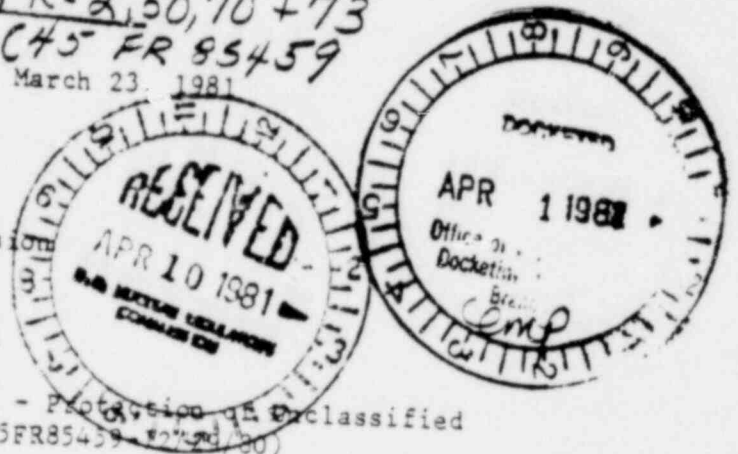
FYC 81-6

PROPOSED RULE NUMBER **42**
PR-2,50,70+73
45 FR 85459
March 23, 1981

Secretary of the Commission
United States Nuclear Regulatory Commission
Washington, D. C. 20555

Attention: Docket and Service Branch

Subject: Comments on Proposed Rule - Protection of Declassified
Safeguards Information (45FR85459)



Dear Sir:

Yankee Atomic Electric Company appreciates the opportunity to comment on the subject proposed rule. Yankee Atomic owns and operates a nuclear power plant in Rowe, Massachusetts. The Nuclear Services Division also provides engineering services for other nuclear power plants in the Northeast, including Vermont Yankee, Maine Yankee and Seabrook 1 and 2.

Yankee supports the goals of the proposed rule, as it applies to Security Plans, Contingency Plans, reports of inspections, audits and security equipment wiring diagrams. However, we firmly believe that there is no need to establish additional and more restrictive safeguards protection requirements at the plants. We do believe that there is significant benefit to be gained by establishing additional protection against disclosures in the licensing arena and by making generic security related studies unavailable to the public. The effectiveness of existing plant security requirements as well as the screening procedures which provide excellent assurance that low risk personnel are employed, strongly support our contention that more stringent controls at the plant (eg. locking procedures in special approved security container) are unjustified, unnecessary and counter-productive.

Further, information on the location, type and function of safety-related equipment will necessarily be available in the public domain. With some small amount of research it is possible to determine composite listings and precise locations of safety-related vital equipment. Since it is impossible to safeguard this information because it is public, there is absolutely no benefit to be gained by establishing more restrictive requirements on the licensee.

L-41, Pt. 2

As proposed, the regulations are overly concerned with the methods for physical protection afforded by licensees. Instead, further emphasis should be placed on controlling disclosure of safeguards information in the licensing process. Here the need for control is eminently justified. The proposed rule should be revised to provide adequate authority for licensing boards to withhold sensitive information from public disclosure. This, we believe, was the original intent of Congress in PL96-295.

Finally, the subject federal register notice states that, "certain types of information, even though possibly regarded as safeguards information, would not fall within the scope of the proposed rule" (i.e. Sandia-prepared studies such as the Intrusion Detection System, Entry Control Systems, and the Barrier Technology Handbook). We believe this type of material now procurable through the Freedom of Information Act (FOIA), should be vigorously protected and consistently withheld from the general public.

We strongly support the comments submitted by KMC, Inc. dated March 6, 1981 on the subject proposed rule. Should you have any questions regarding our comments, please contact us.

Very truly yours,

YANKEE ATOMIC ELECTRIC COMPANY



D. W. Edwards, Director
Operational Projects & Licensing