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(58FR 58804)

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December 29, 1993

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Mr. Samuel J. Chilk
Secretary
U. S. Nuclear Regulatory Commission
Washington, DC 20555

ATTENTION: Docketing and Service Branch

SUBJECT: Commonwealth Edison's (CECo.) Co. Comments on Notice of Proposed Rulemaking -- Amendments to 10CFR Part 73 "To Protect Against Malevolent Use of Vehicles at Nuclear Power Plants"

REF: 58 Fed. Reg. 58804 - November 4, 1993

Dear Mr. Chilk:

These comments are submitted on behalf of Commonwealth Edison's six Nuclear Power Stations in response to the Nuclear Regulatory Commission's proposed rule for "Protection Against Malevolent Use of Vehicles at Nuclear Power Plants".

Commonwealth Edison supports NUMARC's position as defined in its letter and enclosures to you dated January 3, 1994.

In addition to comments on the rule, the NUMARC letter addresses phase two of the Design Basis Threat (DBT) evaluation which will be considered by the NRC in the near future. We are also concerned that any increase in the composition, equipment requirements, and capabilities of the current DBT has the potential to escalate security expectations and requirements beyond the reasonable capability of Commercial Nuclear Power Plants.

Therefore, we concur with NUMARC's recommendation that the NRC complete phase two of the DBT reevaluation and resolve all comments on both phases prior to establishing a final schedule for a rule.

Commonwealth Edison invites your attention to several significant issues to be considered with respect to the proposed amendment to 10CFR Part 73.

The NRC has concluded there is a relationship between the TMI vehicle penetration and the World Trade Center vehicle bomb events. In fact, these are two significantly different and separate incidents. The separation of these incidents is important in order to distinguish between security measures to deter a vehicle carrying personnel and weapons from penetrating the Protected Area (PA) and security measures for a stationary vehicle containing explosives.

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On March 19, 1993, during a Senate Hearing, the FBI stated there is no connection between the TMI and World Trade Center events, there is no credible threat to commercial nuclear power plants, and nuclear power plants are not appealing to terrorists as targets because they are hardened facilities.

The Land Vehicle Intrusion (LVI) should be limited to a vehicle carrying personnel and weapons. A Vehicle Barrier System's (VBS) objective should be to deter a vehicle from penetrating the Protected Area based on the fact that barrier impact would disable the vehicle.

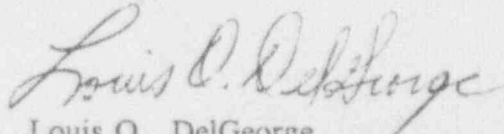
The vehicle explosive should be limited to consideration of a stationary position outside the PA and be recognized as separate and distinct from the land vehicle used to penetrate the PA. There are no known vehicle bomb incidents in this country other than those in the stationary position.

If a VBS enhancement must be designed and installed, it should be based upon reasonable engineering judgement and practices, and utilize commercial grade material. Any other approach would result in an inappropriate use of industry resources and is not justified based on the safety threat posed.

As a result of our preliminary evaluations, additional time (180 days) is needed to perform a proper analysis for a VBS and prepare it for submittal. Due to the extensive passive barrier work required and a very limited number of manufacturers of active barriers, the implementation time should be extended to March, 1996.

Commonwealth Edison is committed to providing appropriate security for our nuclear power plants and we appreciate the opportunity to provide these comments.

Sincerely,



Louis O. DelGeorge
Vice President
Nuclear Operations Support