

UNITED STATES NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

June 17, 1994

The Honorable Carol Moseley-Braun United States Senator 230 South Dearborn Street Chicago, Illinois 60604

Dear Senator Moseley-Braun:

I am responding to your letters dated May 13, and May 27, 1994, in which you forwarded concerns raised by several of your constituents regarding the Commonwealth Edison Company (CECo, the licensee) proposal to modify security plans for CECo nuclear facilities.

Nuclear Regulatory Commission (NRC) regulations allow licensees to make changes to their security plans, which include physical security plans, contingency response plans, and guard training and qualification plans, in two ways. First, licensees can make changes that do not decrease the effectiveness of the current plan without getting prior NRC approval. These changes must, however, be reported to the NRC within two months so that the NRC staff may evaluate the changes and verify that they do, indeed, not reduce effectiveness.

Second, licensess can make changes that do decrease the effectiveness of the current plan, but they must get NRC approval before they can implement the changed plan.

The NRC staff has held public meetings with CECo regarding these issues on August 17, 1993, and March 30, 1994. On March 30, 1994, CECo proposed changes to its security plan, stating that the changes did not decrease the effectiveness of existing plans. The licensee had not, however, implemented many of the more significant changes. Following the NRC staff review, the NRC advised CECo, by letter dated April 26, 1994, that some of the proposed changes (1) appeared to decrease the effectiveness of the security plan or (2) did not contain sufficient information for the NRC staff to make the determination that the change did not decrease effectiveness. The April 26, 1994, letter also advised the licensee that several of the changes could be resubmitted as an application for a license amendment. To date, no such amendment pertaining to CECo security plan revisions has been received.

With respect to security plan changes that have been implemented, the NRC staff has been monitoring licensee and quard force performance throughout the CECo system. We have discussed the impact of changes with licensee management and guards. There has been no noted decline in performance affecting the protection of the public related directly to these issues. Our staff will continue to make onsite evaluations of guard force and management performance relating to NRC-regulated activities.

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As you may already know, the NRC receives more than 800 allegations a year. many of which call valid issues to NRC's attention. In this case, the staff was already aware of CECo's proposal to alter its nuclear plant security programs and we have ensured that any actions taken by the licensee are consistent with our regulatory requirements.

Although the NRC encourages employees to raise safety issues first to their employers, employees must also feel free to raise safety concerns at any time directly to the NRC. The NRC, therefore, places a high value on employees in the nuclear industry feeling free to raise potential safety issues. Therefore, we are especially concerned about the issues raised by Mr. Brem that Burns Security and CECo took actions that could be viewed as retaliation against the General Service Employees Union. NRC regulations prohibit licensees, or a contractor or subcontractor of a licensee, from discriminating against an employee for engaging in protected activities such as raising potential safety issues. I assure you that the NRC takes concerns of discrimination or retaliation very seriously. The NRC staff has taken appropriate action to evaluate the validity of Mr. Brem's concern. Upon the completion of our review of this matter, we will inform you and Mr. Brem of the results.

> Sincerely riginal signed by James M. Taylor

James M. Taylor Executive Director for Operations

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EDO Principal Correspondence Control

PROM:

DUE: 06/16/94

EDO CONTROL: 0010133

DOC DT: 05/27/94

FINAL REPLY:

Gen. Carol Moseley-Braun

PO:

Dennis Rathbun

FOR SIGNATURE OF :

** GRN **

CRC NO: 94-0518

Executive Director

DESC:

ENCLOSES LETTERS FROM DOUGLAS APPLEBEE, DOROTHY HOFFNER, CINDY MOORE, MICHAEL MUSRO, TRACY READ, DONALD STONECIPHER & MONA BALLENGER RE COMMONWEALTH EDISON'S PLANS TO REDUCE SECUIRTY AT LASALLE, DRESDEN AND ZION NUCLEAR PLANTS

ROUTING:

Taylor Milhoan Thompson Blaha

JMartin, RIII

DATE: 06/03/94

ASSIGNED TO: CONTACT:

NRR

Russell

SPECIAL INSTRUCTIONS OR REMARKS:

REPLY TO CHICAGO, IL OFFICE. MARK ENVELOPE ATTN: ANDRE L. BRADY.

NRR RECEIVED:

JUNE 3, 1994

HRR ACTION:

DRPW: ROE

NRR ROUTING:

RUSSELL MIRAGLIA

REYES THADANI CRUTCHFIELD GILLESPIE BOHRER

ACTION

DUE TO NRR DIRECTOR'S OFFICE

OFFICE OF THE SECRETARY CORRESPONDENCE CONTROL TICKET

PAPER NUMBER: CRC-94-0518

LOGGING DATE: Jun 2 94

ACTION OFFICE: EDO

AUTHOR: CAROL MOSELEY-BRAUN AFFILIATION: U.S. SENATE

ADDRESSEE: RATHBUN

LETTER DATE:

May 27 94 FILE CODE:

SUBJECT:

COMMONWEALTH EDISON'S PLANS TO REDUCE SECURITY AT

LASALLE, DRESDEN AND ZION NUCLEAR PLANTS

ACTION:

Direct Reply

DISTRIBUTION: OCA TO ACK

SPECIAL HANDLING: NONE

CONSTITUENT: APPLEBEE, HOFFNER, MOORE

NOTES:

DATE DUE:

Jun 16 94

SIGNATURE:

AFFILIATION:

DATE SIGNED: