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Tennessee Valley Authority, 1101 Market Street, Chattanooga, Tennessee 37402-2801

August 22, 2000

OFFICE
ADMINISTRATIVE

Ms. Annette Vietti-Cook
Secretary of the Commission
ATTN: Rulemakings and Adjudications Staff
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Dear Ms. Vietti-Cook:

NUCLEAR REGULATORY COMMISSION (NRC) - REQUEST FOR COMMENTS ON
PROPOSED RE-EVALUATION OF PHYSICAL PROTECTION REGULATIONS
(Volume 65 Federal Register 36649)

This letter responds to a request for comments on SECY-00-0063,
Re-evaluation of Power Reactor Physical Protection Regulations
and Position on Definition of Radiological Sabotage
(Volume 65 Federal Register 36649).

TVA believes that the regulatory process needs to be consistent and predictable. TVA also believes that prescriptive regulations do not always ensure that regulatory objectives are met. TVA believes that the implementation of 10 CFR 73.55 requirements is problematic due to the way the requirements were understood by the licensees and how they were inspected and enforced by NRC. TVA would welcome a comprehensive review of the security regulations and clear definition of the attributes of the design bases threat resulting in the industry being able to implement a performance-based self-evaluation of the security program effectiveness. In addition, the enclosure provides some additional specific TVA comments.

If you have any questions, please contact Rob Brown at (423) 751-7228.

Sincerely,

Ralph H. Skell

Mark J. Burzynski
Manager
Nuclear Licensing

Enclosure
cc: See page 2

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cc(Enclosure):
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ENCLOSURE

REQUEST FOR COMMENTS ON PROPOSED RE-EVALUATION OF PHYSICAL PROTECTION REGULATIONS

- Utilities should be able to grant unescorted access based on successful completion of the drug and alcohol testing. Criminal history search and background (job history, credit checks, and reference contacts) could be done in parallel with employment orientation. It is recognized that most denials are the result of repetitive criminal history and drug and alcohol abuse, not evidence of a nuclear sabotage conspiracy. This approach would greatly facilitate staffing needs without significantly compromising trustworthiness of new hires.
- Credit should be given for the nuclear safety defense in-depth capabilities when factoring in the development of both security staffing and security response strategies. TVA sites all have defense in-depth with a hard target image. This hard target image includes a well trained security force equipped with superior weapons and training, responding from hardened defensive positions in short time frames to protect specific targets which are often redundant equipment trains, highly trained operators and a regularly exercised Emergency Preparedness organization with procedures that are capable of mitigating the loss of multiple target sets. The current stand-alone security approach to the design basis threat requires a larger security force to respond in very short time frames when all factors in the defense of target sets should be taken into consideration. In reality, the design basis threat, like other emergencies, is not dependent on a single organization, but is dealt with by the entire resources available at the site. A new approach to security needs to recognize this defense in-depth.
- Instead of the current approach to security which requires the entire organization to maintain a state of readiness for an immediate attack against the plant, consideration should be given to developing a plan to escalate the response based on an increase in the threat. This is the same approach taken for the military defense condition and Department of Energy Security Condition programs. The level of readiness and capability to escalate can be demonstrated in response drills much like the Emergency Preparedness exercises. Instead of requiring static security posts to be manned 24 hours a day, 7 days a week, it could require the capability for rapid response and deployment of security responders. If it is not possible to approve this initiative, then the continually manned static posts should be acceptable to compensate for catastrophic losses of security equipment.

- The administrative functions of security officers such as escorting searched vehicles or compensating for zones and doors while badged employees are servicing or maintaining the equipment detracts from officers' primary mission to protect the plant and causes extensive overtime costs. These marginal requirements should be eliminated.