



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

January 24, 2017

CHAIRMAN

The Honorable Edward J. Markey
United States Senate
Washington, DC 20510

Dear Senator Markey:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of December 22, 2016, regarding replacement of NRC-conducted force-on-force (FOF) exercises with exercises conducted by licensees. I recognize your longstanding interest in this matter and agree with you on the importance of protecting nuclear power plants against terrorists and other security threats. I want to update you on current efforts related to FOF exercises and the agency's overall security baseline inspection program.

On October 5, 2016, the Commission approved the NRC staff's recommendation to conduct an assessment of the security baseline inspection program, including FOF inspections.¹ In performing this assessment, the Commission directed the staff to "avoid attempting a fundamental redesign of the program" and to "conduct a review limited to those areas that are most likely to yield improvements and efficiencies, considering both external and internal feedback." The NRC staff plans to complete their review and submit a notation vote paper for Commission consideration by October 2017.

With respect to your specific concern about the industry proposal for NRC to observe and evaluate licensee-conducted FOF exercises, the Commission's direction is clear that the Office of the General Counsel "shall complete a legal analysis on this matter" and provide that analysis to the Commission "prior to any staff assessment of the industry proposal" for licensee-conducted FOF exercises.

If you need any additional information, please contact me or Eugene Dacus, Director of the Office of Congressional Affairs, at (301) 415-1776.

Sincerely,

Stephen G. Burns

¹ Staff Requirements Memorandum – SECY-16-0073 – Options and Recommendations for the Force-On-Force Inspection Program in Response to SRM-SECY-14-0088.