

**From:** PERKINS-GREW, Susan  
**To:** [Andersen, James](#)  
**Cc:** [Bailey, Marissa](#); [Curtis, David](#); [Zobler, Marian](#)  
**Subject:** [External\_Sender] Comments on DG-5039, Draft Revision 1 of Regulatory Guide 5.69, "Guidance for the Application of Radiological Sabotage Design-Basis Threat in the Design, Development, and Implementation of a Physical Security Program that Meets 10 CFR...  
**Date:** Friday, August 03, 2018 9:23:02 AM  
**Attachments:** [08-03-18\\_NRC\\_NEI Comments on DG-5039 Draft Revision 1 of Regulatory Guide 5.69.pdf](#)

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**THE ATTACHMENT CONTAINS THE COMPLETE CONTENTS OF THE LETTER**

August 3, 2018

Mr. James Andersen  
Director, Division of Physical and Cyber Security Policy  
Office of Nuclear Security and Incident Response  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

**Subject:** Comments on DG-5039, Draft Revision 1 of Regulatory Guide 5.69, "Guidance for the Application of Radiological Sabotage Design-Basis Threat in the Design, Development, and Implementation of a Physical Security Program that Meets 10 CFR 73.55 Requirements," dated June 2018

**Project Number: 689**

Dear Mr. Andersen:

The Nuclear Energy Institute (NEI) is pleased to provide comments on Draft Guide-5039, Draft Revision 1 of Regulatory Guide 5.69, dated June 2018 ("DG-5039" or "Draft Guide"). The focus of NEI's review was to ensure that the language in DG-5039 addressing coordinated attacks, breaching, and use of explosives against personnel was the same as the language addressing those topics in revision 0 of Regulatory Guide 5.69 (dated August 2007), and to identify any additional fatal flaws in the Draft Guide.

Our review confirmed that the descriptions of the coordinated attack, breaching, and use of explosives against personnel tactics outlined in DG-5039 are the same as the descriptions of those tactics provided in revision 0 to Regulatory Guide 5.69, dated August 2007. As recommended by the Committee to Review Generic Requirements (CRGR) in their May 22, 2018, memorandum, NEI and its members look forward to continued dialogue with the NRC staff to develop reasonable limits on the use of the breaching tactic.

Additionally, in regards to vehicle characteristics, NEI and its members recommend that section 10.10 of the January 2017 version of DG-5039 be inserted into the final published document in place of section 10.12, currently found in the June 2018 version of DG-5039. The language contained within the January 2017 version provides more clarity and direction to licensees if there

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were to be changes made to their vehicle denial systems.

If you have any questions or require additional information, please contact AJ Clore at (202) 739-8025; [ajc@nei.org](mailto:ajc@nei.org) or myself.

Sincerely,

Susan Perkins-Grew  
Senior Director,  
Nuclear Security and Incident Preparedness

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