



REQUEST REPLY BY: 8/17

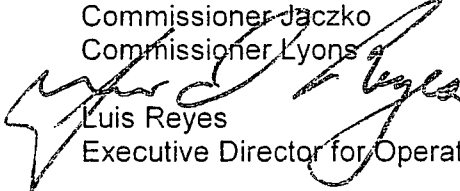
COMSECY-06-0038

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

August 15, 2006

MEMORANDUM TO: Chairman Klein
Commissioner McGaffigan
Commissioner Merrifield
Commissioner Jaczko
Commissioner Lyons

Approve without comment.

FROM: 
Luis Reyes
Executive Director for Operations


Dale E. Klein

08/17/06

SUBJECT: DRAFT NUCLEAR SECTOR SPECIFIC PLAN

The purpose of this memorandum is to seek Commission feedback on language associated with the subject plan. The Draft Nuclear Sector Specific Plan (NSSP), Chapter 5 "Develop and Implement Protective Programs" contains a paragraph referencing the linkage between intelligence and Design Basis Threat for both radiological sabotage or theft or diversion. On July 19, 2006, the Commission approved language for that paragraph (COMSECY-06-0036), which was subsequently provided to the Department of Homeland Security (DHS) for inclusion in the draft that was going out for comment.

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SECY, please track.

CONTACT: J. Tomlinson, NSIR
301-415-0262

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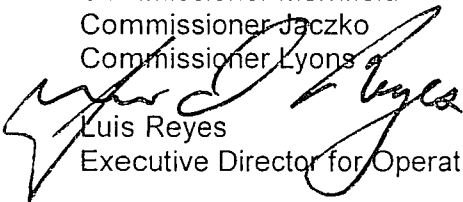
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FROM: 
Luis Reyes
Executive Director for Operations

SUBJECT: DRAFT NUCLEAR SECTOR SPECIFIC PLAN

I approve subject to attached edits and comments.



8/17/06

Edward McGaffigan, Jr. (Date)

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DRAFT Nuclear Sector Specific Plan (NSSP),
Chapter 5, Develop and Implement Protective Programs

will

DHS supported edits to the previously approved Commission text are bolded and bracketed.

Since any revision to the NRC DBTs (i.e., for radiological sabotage or theft or diversion) should include an assessment of the best available intelligence information, the NRC will maintain its collaboration with the Intelligence and law enforcement communities, including DHS, regarding its assessment of the threat environment **[to the nuclear sector]** as part of the DBT development process. In addition, recognizing that the DBT characteristics form the basis for the protective measures and designs of the protective strategies for commercial nuclear power plants and Category 1 fuel cycle facilities, in developing proposed changes to either DBT, the NRC **(should)** in the absence of extraordinary circumstances, continue to seek the views of the plant owner/operators and Sector Security Partners regarding the impacts of the proposed changes. **[In accordance with its statutory responsibilities and authorities, DHS will seek the views of its security partners on the proposed changes for consistency with the National Infrastructure Protection Plan approach to risk management and provide feedback to the NRC.]** The NRC will consider these and other inputs as part of its decision-making process with its statutory responsibilities and authority.

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consistent

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^
independent

Enclosure

Commissioner McGaffigan's Comments on COMSECY-06-0038

I approve of the proposed language associated with the Draft Nuclear Sector Specific Plan, subject to the attached edits and following comments. I believe it is important that the proposed language that references the linkage between intelligence and the DBT for both radiological sabotage or theft or diversion be consistent and essentially parallel. The attached edits are intended to properly characterize the related roles and responsibilities of both the NRC and DHS.

One additional modification is necessary to clarify what 'security partners' DHS intended to reference in their proposed additional language. The staff should clarify the intent of DHS and make the reference to 'security partners' consistent with NRC's reference to 'Sector Security Partners,' or clarify any differences.


Edward McGaffigan, Jr.

8/17/06

(Date)

REQUEST REPLY BY: 0117

COMSECY-06-0038



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

August 15, 2006

MEMORANDUM TO: Chairman Klein
Commissioner McGaffigan
Commissioner Merrifield
Commissioner Jaczko
Commissioner Lyons

FROM: Luis Reyes
Executive Director for Operations

*Approved subject to
the attached edits.*

SUBJECT: DRAFT NUCLEAR SECTOR SPECIFIC PLAN

[Signature]
8/16/06

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DRAFT Nuclear Sector Specific Plan (NSSP),
Chapter 5, Develop and Implement Protective Programs

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MEMORANDUM TO: Chairman Klein
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Commissioner Jaczko
Commissioner Lyons

FROM: Luis Reyes
Executive Director for Operations

Disapproved. I propose the Chairman communicate the Commission's view on this language, as previously stated in the SRM on COMSECY-06-0036, to counterparts at the Homeland Security Department.

SUBJECT: DRAFT NUCLEAR SECTOR SPECIFIC PLAN

Gregory B. Jaczko

8/17/06
Date

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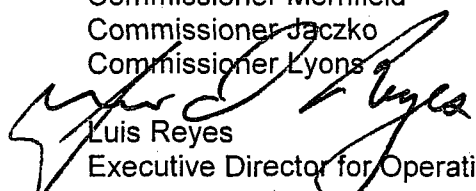
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Commissioner Lyons

FROM: 
Luis Reyes
Executive Director for Operations

Approved, subject to Commissioner McGaffigan's comments and edits.

 8/17/06
Peter B. Lyons Date

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