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

CHAIRMAN

December 15, 1998

The Honorable Edward J. Markey
United States House of Representatives
Washington, D.C. 20515-2107

Dear Congressman Markey:

Thank you for your letter of November 10, 1998, in which you expressed your concerns about the reported elimination of the U.S. Nuclear Regulatory Commission's (NRC) Operational Safeguards Response Evaluation (OSRE) program. Following a meeting with the NRC staff on November 10, 1998, I instructed the staff to reinstate the OSRE program with certain changes (described below) and to continue with the evaluations until the staff completes the study it had already begun to assess future options in performance assessment of nuclear plant security. The staff believes that OSRE visits can be resumed in early 1999, and with priority scheduling given to the 11 licensee sites that have not yet been evaluated, the cycle of visits to every nuclear power reactor site should be completed within the next 18 months.

While it has been reinstated, the OSRE program has been changed in certain ways, effective immediately, to correct deficiencies in past reviews. The evaluations will place greater emphasis on meeting regulatory requirements and realistically test continuing licensee capabilities. The emphasis on regulatory requirements will include clarifying the licensee's responsibility to provide security adequate to satisfy the requirement in 10 CFR 73.55(a) to protect against the design basis threat. In accordance with this increased emphasis on regulatory requirements and the need to protect against the design basis threat, the staff will design and carry out future OSREs to specifically evaluate the protection provided by the licensee's security plan commitments.

The staff will also continue with and accelerate its consideration of future options relative to evaluation of licensees' contingency response capabilities. It should be noted that there has been no reduction in security requirements, nor has there been any diminution in the NRC's focus on inspection of security plan commitments at power reactor facilities. The goal of the staff's re-evaluation is to identify more effective and more efficient methods of testing licensees' contingency response capabilities, including possible rulemaking and revision of inspection procedures and programs.

This letter is an interim response; I will provide the documents you requested and answers to your specific questions in the near future.

Sincerely,

Shirley Ann Jackson

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