

November 26, 2001

The Honorable Vinny deMacedo
The Commonwealth of Massachusetts
House of Representatives
State House
Boston, Massachusetts 02133-1054

Dear Mr. deMacedo:

I am responding on behalf of the U.S. Nuclear Regulatory Commission (NRC) to your letter dated September 26, 2001, in which you requested that the NRC federalize all security programs in nuclear power plants. In the wake of the September 11 terrorist attacks, the Commission believes that there is a very compelling case for a coordinated, comprehensive security regime for infrastructure of all kinds.

The NRC has in fact previously sought a degree of federalization. We have in the past asked for legislation that would give guards at nuclear power plants the same federal authority that guards at DOE facilities have long had to use their weapons to prevent sabotage and theft or diversion of special nuclear material.

Nuclear power plants are among the most hardened and secure civilian facilities in the United States. They are designed to withstand extreme events, such as hurricanes, tornadoes, and earthquakes. These plants have an inherent capability to protect public health and safety through such features as robust containment buildings, redundant safety systems, and highly trained operators and security guards. In addition, security personnel at nuclear power plants are well-trained and capable of protecting the plant under numerous threat scenarios. Despite these safety features, soon after the terrorist attacks of September 11, I, with the full support of the Commission, directed the NRC staff to review the NRC's requirements for security at major civilian nuclear facilities thoroughly. The federal role in providing security at these facilities will be one of the questions taken up during the review, and we will be consulting other agencies with relevant jurisdictions, including the new Office of Homeland Security, as we consider this question. Whether security forces at civilian nuclear facilities should be federalized raises a number of significant policy issues, such as the command and control of such forces and the compensation and funding of the guards. At this point, any comment on the outcome of the discussions would be inappropriate.

There have been no credible general or specific threats against any commercial nuclear facility in the U.S., and the Nation's nuclear power plants remain at the highest level of security, as recommended by the NRC immediately following the terrorist attacks. The Commission is confident that substantial protection is being provided to plants through the heightened measures taken by licensees and through the Commission's coordination with other civilian and defense authorities.

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I appreciate the opportunity to respond to your concern, and I hope that I have adequately addressed the issue you raised. Please do not hesitate to contact me if you have any further questions.

Sincerely,

/RA/

Richard A. Meserve

November 26, 2001

The Honorable Thomas J. O'Brien
The Commonwealth of Massachusetts
House of Representatives
State House
Boston, Massachusetts 02133-1054

Dear Mr. O'Brien:

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