

EDO Principal Correspondence Control

FROM: DUE: 12/05/01 EDO CONTROL: G20010542
DOC DT: 11/20/01
FINAL REPLY:

Senator Jim Jeffords
Senator Harry Reid
Senator Hillary R. Clinton
Senator Jon Corzine

TO:

Chairman Meserve

FOR SIGNATURE OF : ** PRI ** CRC NO: 01-0635

Chairman

DESC:

ROUTING:

Questions from the 10/11/01 Briefing on Security
of the Nation's Commercial Nuclear Facilities

Travers
Paperiello
Kane
Norry
Craig
Burns
Virgilio, NMSS
Wessman, IRO
Cyr, OGC
ERCT
Schum
Davis

DATE: 11/29/01

ASSIGNED TO: CONTACT:
NRR Collins

SPECIAL INSTRUCTIONS OR REMARKS:

Coordinate response with ERCT, NMSS and OGC.

**OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET**


Date Printed: Nov 28, 2001 16:37

PAPER NUMBER: LTR-01-0635 **LOGGING DATE:** 11/28/2001
ACTION OFFICE: EDO

AUTHOR: Jim Jeffords
AFFILIATION: SEN
ADDRESSEE: Richard Meserve
SUBJECT: Request information about the security of the nation's commercial nuclear facilities

ACTION: Signature of Chairman
DISTRIBUTION: Chairman, Comrs, RF, OCA to Ack

LETTER DATE: 11/20/2001

ACKNOWLEDGED 
SPECIAL HANDLING: Authors includes:
Sen. Harry Reid
Sen. Hillary R. Clinton
Sen. Joh Corzine

NOTES: Commisison Correspondence

FILE LOCATION: Adams

DATE DUE: 12/06/2001 **DATE SIGNED:**

EDO --G20010542

JAMES M. JEFFORDS, VERMONT, CHAIRMAN

MAX BAUCUS, MONTANA
 HARRY REID, NEVADA
 BOB GRAHAM, FLORIDA
 JOSEPH I. LIEBERMAN, CONNECTICUT
 BARBARA BOXER, CALIFORNIA
 RON WYDEN, OREGON
 THOMAS R. CARPER, DELAWARE
 HILLARY RODHAM CLINTON, NEW YORK
 JON S. CORZINE, NEW JERSEY

BOB SMITH, NEW HAMPSHIRE
 JOHN W. WARNER, VIRGINIA
 JAMES M. INHOFE, OKLAHOMA
 CHRISTOPHER S. BOND, MISSOURI
 GEORGE V. VOINOVICH, OHIO
 MICHAEL D. CRAPO, IDAHO
 LINCOLN CHAFFE, RHODE ISLAND
 ARLEN SPECTER, PENNSYLVANIA
 BEN NIGHTHORSE CAMPBELL, COLORADO

KEN CONNOLLY, MAJORITY STAFF DIRECTOR
 DAVE CONOVER, MINORITY STAFF DIRECTOR

United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS
 WASHINGTON, DC 20510-6175

November 20, 2001

The Honorable Richard A. Meserve
 Chairman
 United States Nuclear Regulatory Commission
 Washington, DC 20555

Dear Chairman Meserve:

We are writing to request information about the security of the nation's commercial nuclear facilities. As you know, the Senate Committee on Environment and Public Works has jurisdiction over the Nuclear Regulatory Commission. To better understand the potential threats that may exist at nuclear power plants and the actions this committee should take to address them, we would appreciate your providing us with information about the potential risk of an accident at a nuclear power plant and the Commission's efforts to address these risks.

We appreciate your willingness to brief members of the Environment and Public Works Committee on Thursday, October 11. At that meeting, an informative discussion took place. Several members asked you to provide additional information during that discussion. In addition to that information, we would appreciate your responding to the following questions:

1. Immediately after the September 11 terrorist attack, the NRC *recommended* but did not *require* nuclear power plants to go to a higher level of security.
 - a) Could you please explain why the Commission did not require higher security.
 - b) How did the NRC confirm whether plants moved to a higher security level?
 - c) In broad terms, could you describe what steps this involves?
 - d) Are security guards working overtime to meet these requirements? If so, what steps are the NRC recommending to reduce possible fatigue affects from long periods of overtime?
 - e) Has the NRC recommended supplementing guard forces with National Guard Troops?
2. Several months ago, the NRC approved the start of a pilot test program to replace the current security program.
 - a) Does the NRC believe this is an appropriate time to test new security training programs?
 - b) Why wouldn't the NRC's resources be better utilized by improving the program already in place, the so-called Operational Safeguards Response Evaluation (OSRE) program, which has a strong NRC oversight component?

The Honorable Richard A. Meserve

November 20, 2001

Page 2

3. Media reports indicate nearly half the nuclear power plants failed their OSRE exercises.
 - a) What are the biggest causes for this failure?
 - b) Is it a lack of training, a lack of equipment, and/or poor tactics?
 - c) What are steps the NRC is taking to improve the performance of licensees in these tests?
 - d) Does the NRC assess fines against licensees that fail these tests? If not, why not?
4. In the NRC's long-term budget forecasting, is the NRC budgeting for continued use of the OSRE program?
5. To ensure that safety plans can adequately protect a nuclear facility, the NRC requires additional force-on-force exercises to verify the ability of security forces to implement the security plans. Does the NRC have a comparable program to ensure that emergency response plans can be successfully implemented in the event of an accident? If so, does this involve coordinated exercises with all local, state and federal emergency responders?
6. Does the NRC require state and local governments to develop evacuation plans to respond to a potential release from a nuclear power plant? If so, how often are these plans updated to reflect demographic changes around the plants? Are only the communities near the plants involved, or are communities that could be exposed to a contamination plume far from the plant considered?
7. We understand that there may be as few as 10-12 guards, on average, at facilities in your jurisdiction. Is this true, and is this adequate in your opinion? Is there a federal requirement, applied consistently at all facilities in your jurisdiction, for a certain number of guards? For the background and training of these guards?
8. How many facilities in your jurisdiction are now protected by National Guard personnel? Are there any facilities that have refused the services of the Guard? If so, what reason did the licensees provide?
9. How are the civilian guard forces at facilities in your jurisdiction armed? Is there a federal requirement applied consistently at all facilities in your jurisdiction for armed personnel?
10. What is the average number of guards at de-commissioned facilities? How does the security at these facilities compare to active facilities? Do you think security at these facilities is adequate?

The Honorable Richard A. Meserve

November 20, 2001

Page 3

11. Does the current design basis threat assume that something the size of a tractor-trailer truck may be utilized to carry explosives to a facility? Does it assume that water-borne threats to reactors located near rivers or oceans may occur?
12. Based upon what you know now, do you think the design basis threat should be updated? Do you have the authority to perform the update now? If so, what is your time frame?
13. New information has recently come to light regarding the vulnerability of nuclear power plants to attack by air. What are the measures the NRC is considering to protect against such threats?
14. Since September 11, have there been any credible threats received against any nuclear power plants in the United States and if so, what measures were taken to protect against those threats?
15. What are the actions the NRC is taking to ensure that proper background checks have been conducted of all staff at all nuclear power plants across the country?

As a major component of our nation's electricity infrastructure, nuclear power plants help our nation meet its energy needs. These plants, however, also pose a potential safety hazard, because they contain large amounts of radioactive material. Ensuring their safe operation is crucial to protecting the health and safety of families living near them. The Nuclear Regulatory Commission should continue to ensure that these facilities are not considered easy targets by terrorists groups. We appreciate your responding to our questions within 15 working days and no later than Tuesday, December 11, 2001.

We appreciate your consideration of our concerns and look forward to hearing from you.

Sincerely,

