

April 28, 2003

Township of Dover
Office of Township Committee
Post Office Box 728
Toms River, New Jersey 08754-0728

Attention: Ms. Barbara A. Iasillo, Clerk

Dear Ms. Iasillo:

I am responding on behalf of the Nuclear Regulatory Commission (NRC) to your March 11, 2003 resolution regarding Oyster Creek. Your resolution forwarded a concern raised by the Jersey Shore Nuclear Watch about vehicle access to certain areas at the Oyster Creek Generating Station, owned and operated by AmerGen Energy Company, LLC (AmerGen), in Lacey Township, New Jersey.

The NRC has recently addressed similar concerns raised by US Senator Jon S. Corzine. We have enclosed a copy of the letter to Senator Corzine for your information. As we explained to Senator Corzine, security features were appropriate at the Oyster Creek site, including the area of concern stated by the Jersey Shore Nuclear Watch. We noted, though, that AmerGen had voluntarily taken action to further restrict public access to company property and provide a more visible security posture on March 14, 2003.

Much controversy about security at Oyster Creek occurred as a result of an investigative report by a cable news network that aired on March 13, 2003. I want to assure you that at no time did unauthorized individuals gain access to sensitive security areas at Oyster Creek, as was implied by this report. The area accessed by the vehicle shown in this investigative report was outside the perimeter of required security controls. Extensive measures were in place to make sure that vehicle access to the unrestricted locations, including the loading dock and parking areas, would not threaten the plant nearby.

The NRC initially became aware of the concern about vehicle access at Oyster Creek in October 2002. At that time, the NRC Senior Resident Inspector toured the areas in question, as well as the entire vehicle barrier system, to verify that security features to protect against intrusion or vulnerability to a vehicle bomb were in place and functional. Since the cable television report on Oyster Creek security aired, NRC management and security specialists visited the site to observe the areas of concern and review the supporting analysis developed to address vehicle bomb threats. Our security specialists confirmed that AmerGen's physical security arrangements conformed with NRC requirements, and that vehicle access to the areas depicted in the television report presented no specific hazard for which additional security measures were required. The inspectors independently verified that the loading dock and warehouse area was sufficiently secured and that physical barriers were positioned properly ensuring a sufficient stand-off distance for a vehicle bomb threat. Additionally, we verified that the warehouse, including the loading dock and adjacent parking area, is a significantly greater distance from the Oyster Creek reactor building than was reported. While the area of concern

identified by Jersey Shore Nuclear Watch may have appeared susceptible to terrorist activity, the NRC confirmed that AmerGen had established and maintained physical protection and security features necessary for effective protection of the facility.

I know that there has been more recent concern about security performance at Oyster Creek involving a case of sleeping guards. AmerGen took immediate action for that event. However, this matter is currently being reviewed by NRC staff to determine appropriate regulatory actions. It would be premature at this time for me to comment on possible actions NRC may take, since all the relevant facts have not yet been determined. I can assure you that the NRC takes these matters seriously, and to the extent permissible by our policy involving safeguards information, we will provide a full accounting of our actions relative to this event.

In your resolution, you also stated that Dover Township joins in the request that the Nuclear Regulatory Commission hold a hearing to consider issues raised by Jersey Shore Nuclear Watch. The NRC has provided a final decision on that matter, denying the request for a hearing to Jersey Shore Nuclear Watch on April 17, 2003, a copy of which is enclosed for your information. In addition, on March 28, 2003, the NRC conducted an Annual Assessment Meeting at the Lacey Township Municipal Building in which we discussed the safety performance of the Oyster Creek plant and addressed questions and concerns of the public. During that meeting, we addressed several questions posed by New Jersey State representatives and local media relative to the security concerns raised by the Jersey Shore Nuclear Watch. We believe that the March 28 meeting provided the public an opportunity to meet NRC representatives to discuss any safety concerns, including security at Oyster Creek. We will continue to respond to concerns raised by the public about regulated activities at all commercial nuclear power plants, including Oyster Creek, and to periodically meet with the public at appropriate opportunities, such as the Annual Assessment meetings.

I trust this information is responsive to your concerns. Please contact me if additional information is needed.

Sincerely,

/RA/

A. Randolph Blough, Director
Division of Reactor Projects

Enclosures: April 11, 2003, Letter to US Senator Jon S. Corzine - ML030840742
April 17, 2003, Letter to Ms. Edith Gbur - ML031110091

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