

*Rebuttal to Dave Lorchbaum testimony
sent to Senate Appr. Comm. 4-11-02*

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Force-on-force security tests

- The NRC ceased force-on-force testing after the attacks of 9/11 for the following prudent reasons:
 - * NRC resources were devoted to agency response, threat assessment, extensive licensee interaction, and coordination and communication with other agencies
 - * Licensee resources were focused on increased security measures and site protection
 - * The conduct of force-on-force testing would distract site readiness for an actual attack
 - * Extensive licensee security resources would be expended to support mock adversaries, exercise controllers, shadow security and exercise coordination - resources already stressed by overtime as a result of post 9/11 measures.
 - * Mock exercises directly after 9/11 were deemed inappropriate due to weapon safety aspects considering the horrific events and heightened threat levels.
- The NRC agrees that performance-based testing is valuable and prior to 9/11 the NRC staff proposed to substantially increase the frequency of force-on-force testing in a proposed rule. (The proposed rule has been withdrawn from the Commission as a result of the ongoing top-to-bottom review, but the staff's position has not changed.)
- The NRC intends to reinstate force-on-force testing utilizing table-top drills in the spring. These table tops will provide feedback on interim compensatory measures currently being implemented by licensees. Upon completion of the compensatory measures in the reactor orders in August, the NRC intends to commence force-on-force mock exercises at reactor sites.
- OSREs involve tough, commando-style raids that are designed to identify shortcomings in security personnel performance or strategy. The attacking force is made fully aware of the plant's layout and the critical equipment that would need to be destroyed, as well as the licensee's protective strategy. Table-tops are conducted prior to exercises to identify any licensee vulnerabilities, which are then tested during four force-on-force drills. The NRC is not aware of any comparable performance testing of security measures for any other commercial facilities in the United States.
- The characterization of the "failures" of OSRE tests is somewhat unfair. The identification of weaknesses during an OSRE demonstrates the robust nature of the NRC's testing program. The fact that licensees are correcting the issues that are identified should be considered a success, not a failure.
- In 37 of 81 OSREs conducted between 1991 and August 2001, the NRC identified weaknesses. For the 15 OSREs conducted between April 2000 and August 2001, weaknesses were identified in 9 of 59 drills (four drills per OSRE exercise), or 15 percent of the time.
- Prior to 9/11, NRC had proposed a one-year pilot program to evaluate the industry's concept for a self-assessment program. Independent evaluation of exercises by the NRC every three years was maintained. The OSRE program would be maintained while

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the new pilot program was under assessment by the Commission. No action on the program has taken place since 9/11.

NRC Communications

- The NRC held a public meeting with public interest groups and stakeholders to discuss security at the reactor sites and the agency's actions on April 8. The meeting was well received by those attending, which included Mr. Lochbaum.
- During the meeting, Dr. Ed Lyman, President of the Nuclear Control Institute admitted that the NRC is the most open of all agencies he routinely deals with.
- The NRC has always operated in an extremely open forum, and as a result, has provided the public with extensive detailed information regarding the reactor sites and other facilities. The agency has and continues to be challenged with the burden of balancing openness with the potential ability for an adversary to use available information against a facility.
- Prior to 9/11, the NRC held routine biweekly or monthly meetings with stakeholders regarding security initiatives. Since 9/11, the NRC has had to deal more directly with licensees and cleared members of the industry to discuss the threat, potential vulnerabilities and prudent protective measures.
- The NRC has committed to monthly public meetings with stakeholders in the future to dialogue on security matters on a general level and address stakeholder concerns.

Emergency Plans

- Emergency plans are required to be exercised biennially by each reactor site and assessed by FEMA and the NRC.
- The NRC has been aggressive in addressing emergency preparedness issues and enhancing licensee readiness. New considerations and actions associated with Emergency Preparedness readiness as a result of an attack are a part of the reactor Orders.
- The NRC has been aggressive in its pursuit of the availability of Potassium Iodide for states and the members of the public.

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Availability of Emergency Planning Information

Testimony discussion incomplete.

Only generic, nation-wide information regarding Nuclear Facility Response Plans and Federal Response Plans was available on NRC's website prior to September 11. In light of the events of September 11, the NRC website was taken down on October 11. The previously available information regarding Response Plans was restored to the website on February 28, 2002.

Federal, State, Local, and Licensee Emergency Response Plans for nuclear power plants were publicly available through the NRC's Automated Document Management Systems (ADAMS) and the NRC Public Document Room prior to September 11. They were removed from the public domain in early October. The Commission is currently developing a policy on making previously public information available.

Each Emergency Response Plan is separate, yet integrated, and lays out responsibilities, protective action strategies, evacuation strategies, and decision making processes. They are not designed for use by individual citizens.

States or local governments have the responsibility to communicate periodically to its citizens living near a nuclear power plant the detailed procedures that will be used to notify them of a problem at the facility and the actions that citizens should take if protective measures are required. In the event of an actual emergency, information and safety instructions will be tailored to fit the situation at hand.