

December 20, 2001

The Honorable Therese Murray
Massachusetts Senate
State House
Boston, Massachusetts 02133-1053

Dear Senator Murray:

I am responding on behalf of the U. S. Nuclear Regulatory Commission (NRC) to your letter dated September 19, 2001, in which you requested that the NRC federalize all security programs in nuclear power plants; and your letter dated October 5, 2001, in which you requested information on the NRC's potassium iodide (KI) program.

Regarding your request to have security programs federalized, the Commission agrees that there is a 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 asked for legislation that would give guards at nuclear power plants the same federal authority that private sector guards at DOE facilities have long had to use their weapons to prevent sabotage and theft or diversion of special nuclear material. We do not recommend, however, that the guards should be federal employees. We believe that continued reliance should be placed on well-trained licensee guard forces, subject to careful NRC scrutiny.

In your October 5, 2001, letter, you requested information about the status of the KI program, and the guidelines and criteria for receiving KI. You noted that the NRC has allocated \$400,000 to purchase KI for distribution to states with nuclear power plants and inquired about the exact process for requesting these funds. To clarify, the NRC has allocated \$400,000 in each of Fiscal Years 2001 and 2002 for a total current funding of \$800,000. However, these funds are not directly available for State use. NRC funds allocated for KI stockpiles will be used toward purchasing KI tablets through a contract with a designated pharmaceutical company, which would include provisions for direct distribution to requesting States.

The NRC has amended its emergency planning regulations to require that States consider including the prophylactic use of KI as a protective measure for the general public in the plume exposure pathway Emergency Planning Zone (EPZ). The use of KI would serve as a supplement to sheltering and evacuation.

The NRC, in coordination with the Federal Emergency Management Agency (FEMA) and the Food and Drug Administration (FDA), is developing the means to provide KI to States. Earlier this month, the FDA's final guidelines on dosage and intervention levels for KI were published. This has enabled the NRC both to initiate the contracting process for a KI supplier and to begin notifying the States of the program's availability and supporting guidance. We are in the process of notifying the States via a letter to the appropriate NRC State liaison officer.

States are encouraged to begin their processes for considering the use of KI as early as possible, recognizing that the NRC's resources for this purpose will be limited. If the State of Massachusetts concludes that incorporating KI for use by the general public is appropriate, it may request for the NRC to provide KI by writing to Kathy Halvey Gibson, Chief, Emergency Preparedness and Health Physics Section, U.S. NRC, Washington, D.C. 20555. Alternatively, requests may be faxed to (301) 415-2968. The letter must include the following information: the nuclear power plant (NPP) site(s), the population in the NPP's 10-mile EPZ for which the State is responsible, the contact person authorized to receive the KI, and the "Ship to" address for KI delivery. Upon receipt of this information, the NRC will validate the data and make arrangements to have KI shipped to the designated contact/address. The NRC will supply two KI tablets for each person in the 10-mile EPZ(s).

The NRC requests that one request for KI be submitted for each State. If decisions about emergency planning and the use of KI are the responsibility of local, rather than State authorities, we request that the State consolidate the local requests and forward the consolidated request covering all NPPs within the State to the NRC.

I appreciate the opportunity to respond to your concern, and I hope that I have adequately addressed it. If you have questions or require assistance in this matter, please contact either Kathy Halvey Gibson, NRC, 301-415-1086 or Vanessa Quinn, FEMA, 202-646-3664.

Sincerely,

/RA/

Richard A. Meserve