

November 7, 2001

Ms. Mary Clark-DiRusso, Esq.
60 Emerson Avenue
Croton-on-Hudson, NY 10520

Dear Ms. Clark-DiRusso:

I am responding to your letter of September 20, 2001, to the Chairman of the U.S. Nuclear Regulatory Commission (NRC) in which you raised concerns about the operation of the Indian Point Nuclear Generating Unit Nos. 2 and 3 (IP2 and 3) in light of the events of September 11, 2001. In particular, you stated that the facility is on a flight path for commercial airliners and at the least should be closed temporarily.

In light of the terrorist attacks, the NRC has been working to ensure the adequate protection of the nation's nuclear power plants. This has involved close coordination with the Federal Bureau of Investigation, other intelligence and law enforcement agencies, and military, state and local authorities, as well as the operators of these plants. Although there have been no credible threats to any commercial nuclear facility in the United States, the NRC prudently advised plant operators to implement the highest level of security. The specific actions are understandably sensitive and, therefore, cannot be discussed in a public document, but they generally include increased patrols, augmented security forces and capabilities, additional security posts, heightened coordination with law enforcement and military authorities, and more limited access of personnel and vehicles to the sites. As you are probably aware, the State of New York has decided to further augment the security at IP2 and 3 with National Guard personnel.

The NRC has had close liaisons with other Federal agencies, including intelligence agencies and the Federal Aviation Administration (FAA). As an example of this close coordination, the FAA issued a Notice to Airmen (NOTAM) advising pilots to avoid airspace near "nuclear power plants, power plants, dams, refineries, industrial complexes, and other similar facilities." Furthermore, in response to the recent threat alert, the FAA has issued another NOTAM that prohibits all general aviation from flying within a 10 nautical mile radius of, and below 18,000 feet over, nuclear plants.

The NRC understands and shares your concerns following the September 11 events. As part of our follow-up to the attacks, the NRC is conducting a reevaluation of its safeguards and physical security programs, including the potential consequences of such an attack on a nuclear power plant, to assess threats and determine the best protection methods and the need for additional compensatory measures. The NRC did not contemplate attacks by aircraft the size of Boeing 757s and 767s, and nuclear power plants were not designed to withstand such crashes. In fact, many nuclear plants were designed and constructed before such aircraft were developed. However, nuclear plants do have an inherent capability to protect public health and safety through such features as robust containment buildings, redundant safety systems, and highly trained operators. Nuclear plants are also among the most hardened structures in the country and are designed to withstand extreme events, such as hurricanes, tornadoes, and earthquakes; thus, making the threat of a release of radioactive materials to the public unlikely, even in the face of many kinds of sabotage.

On the basis of the actions taken, the NRC does not feel that the operation of the IP2 and 3 facility should be suspended at this time. The NRC continues to actively monitor the situation and is prepared to take measures to ensure the continued safety of all nuclear facilities.

I appreciate the opportunity to respond to your concerns, and I hope that you find this information useful.

Sincerely,

/RA/

Elinor G. Adensam, Director
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

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