

EDO Principal Correspondence Control

FROM: DUE: 12/11/01

EDO CONTROL: G20010543
DOC DT: 11/27/01
FINAL REPLY:

Senator Richard J. Durbin

TO:

Chairman Meserve

FOR SIGNATURE OF :

** PRI **

CRC NO: 01-0634

Chairman

DESC:

ROUTING:

No-Fly Zones Around Nuclear Power Facilities

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

DATE: 11/29/01

ASSIGNED TO:

CONTACT:

NRR

Collins

SPECIAL INSTRUCTIONS OR REMARKS:

Coordinate response with ERCT.

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: Nov 28, 2001 16:37

PAPER NUMBER: LTR-01-0634 **LOGGING DATE:** 11/28/2001
ACTION OFFICE: EDO

AUTHOR: Richard Durbin
AFFILIATION: SEN
ADDRESSEE: Richard Meserve
SUBJECT: Urges the commission to reinstate the no-fly zones around nuclear power facilities

ACTION: Signature of Chairman
DISTRIBUTION: RF

LETTER DATE: 11/27/2001
ACKNOWLEDGED: No
SPECIAL HANDLING: OCA to Ack
NOTES: Commission Correspondence
FILE LOCATION: Adams

DATE DUE: 12/13/2001 **DATE SIGNED:**

EDO --G20010543

RICHARD J. DURBIN
ILLINOIS

COMMITTEE ON APPROPRIATIONS

COMMITTEE ON THE JUDICIARY

COMMITTEE ON
GOVERNMENTAL AFFAIRS

SELECT COMMITTEE ON INTELLIGENCE

ASSISTANT DEMOCRATIC
FLOOR LEADER

United States Senate
Washington, DC 20510-1504

November 27, 2001

332 DIRKSEN SENATE OFFICE BLDG.
WASHINGTON, DC 20510-1304
(202) 224-2152
TTY (202) 224-8160

230 SOUTH DEARBORN, 38TH FL
CHICAGO, IL 60604
(312) 363-4952

526 SOUTH EIGHTH STREET
SPRINGFIELD, IL 62703
(217) 492-4082

701 NORTH COURT STREET
MARION, IL 62959
(618) 998-8812

www.senate.gov/~durbin

Honorable Richard Meserve
Chairman
U.S. Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, MD 20852

Dear Chairman Meserve:

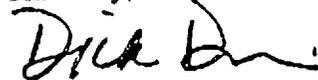
I am writing to you today to urge you to reinstate "no-fly zones" around the nation's nuclear power facilities. As you may know, Illinois has seven nuclear power plants and thousands of residents living and working near those facilities. I am deeply concerned about the health hazard posed by an accidental or intentional plane crash into one of these plants. I applaud the initiative undertaken on October 30 to temporarily restrict air space around 86 sensitive nuclear sites. However, I believe the expiration of this initiative on November 6 was premature.

Several factors warrant a permanent order securing the airspace around the nation's nuclear facilities. While nuclear reactors have been designed to protect the public from the accidental release of radiation, there is no certainty that a September 11-style attack on a nuclear facility or spent fuel storage site would not have disastrous consequences. The subsequent crash of American Airlines Flight 587 reminds us that plane crashes still occur for reasons not related to terrorism. In addition, while the nation's nuclear facilities remain on high alert and several governors have called up national guard troops to further deter would-be terrorists a land-based assault, no commercial nuclear facility appears to be secure against air attacks.

Prudence dictates that the federal government take active steps to protect citizens against the threat of a possible air attack on a nuclear facility. First and foremost among these should be the immediate cessation of air traffic over nuclear power plants and nuclear fuel storage and fabrication facilities.

I urge you to take action now to safeguard the public from a threat that, however improbable, would have disastrous consequences if carried out.

Sincerely,



Richard J. Durbin
United States Senator

cc: Honorable John Ashcroft, Attorney General
Honorable Tom Ridge, Director, Office of Homeland Security
Honorable Norman Mineta, Secretary of Transportation
Honorable Jane Garvey, Administrator, Federal Aviation Administration