

March 1, 2002

The Honorable Bruce Smith
House of Representatives
Commonwealth of Pennsylvania
Main Capitol Building
Harrisburg, Pennsylvania 17120-2020

Dear Representative Smith:

I am responding on behalf of the Nuclear Regulatory Commission (NRC) to your letter of November 8, 2001, regarding security at the Nation's nuclear power plants and at Three Mile Island, specifically. I apologize for the delay in responding, but receipt of your letter was delayed due to the problems in handling mail sent to the Federal government.

Your letter forwarded a copy of the petition filed pursuant to 10 CFR 2.802 by Three Mile Island (TMI) Alert, which requests that armed guards be required at the entrance of every nuclear power plant in the United States. In the letter, you state your support for TMI Alert's request for the rule change because it would serve as a physical and visual deterrent to safety infractions or possible attacks in the future. We are in the process of evaluating the TMI Alert's request, but would like to take this opportunity to clarify the regulations and the circumstances of your visit to TMI.

First, let me assure you that nuclear power plants are among the most hardened and secure civilian facilities in the United States. Nuclear plants have an inherent capability to protect public health and safety through such features as robust containment buildings, redundant safety systems, highly trained operators, safeguards which include armed security guards, and emergency response plans to mitigate impacts on the public in the event of a release.

You raise the concern that NRC's regulations allow uneven security among the Nation's many nuclear facilities. In fact, the regulations set a standard that all nuclear power plant licensees must satisfy -- namely, providing security against an attack with the characteristics of the design basis threat. Each licensee is required to develop a site-specific security program, dependent on the size, location, and configuration of the facility, and the armament and response times of its security organization. Each licensee's program must at least meet the standards in the NRC's regulations, and all programs are inspected by the NRC and are subject to force-on-force exercises to evaluate the response strategies.

When you arrived at TMI, you noted that the gate was completely open, with nobody standing guard, and that you were able to drive right past the reactors. The gate that you passed was the gate onto the island, which is the so-called owner controlled area (OCA). This area contains parking lots, out-buildings and non-safety related equipment. Access controls to the OCA are not required by regulation. The reactor and safety-related equipment are located

in the protected area, to which access is carefully controlled. The protected area is surrounded by a fence and an intrusion-detection system. It is patrolled by armed security officers. In addition, presence within the protected area is continuously monitored by closed circuit television. I assure you that other visitors are barred from entering the protected area without authorization. I would also like to note that after September 11, the operator of the TMI facility posted security officers at the owner controlled gates as an added level of protection.

The NRC is currently considering the issues that you raise, along with many other security-related issues, as part of our ongoing reevaluation of the Agency's safeguards and security programs, which I directed the staff to conduct in the wake of the September 11 attacks. This reevaluation will be a comprehensive review of the Agency's safeguards and security programs and will consider pertinent information from other Federal law enforcement, intelligence, and military agencies. In the meantime, the NRC continues to actively monitor the security situation at all sensitive U.S. facilities, and has issued advisories and Orders to nuclear power plant licensees to ensure that they are taking appropriate security measures.

Thank you for your interest in security at the Nation's nuclear power plants. If you have any additional questions, feel free to contact me.

Sincerely,

/RA/

Richard A. Meserve