

EDO Principal Correspondence Control

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FINAL REPLY:

Representative Jim Gibbons

TO:

Temps, NMSS

FOR SIGNATURE OF : ** GRN **

CRC NO:

Travers, EDO

DESC: ROUTING:

Nuclear Fuel Shipping Casks - Terrorist Attacks

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ACTION OFFICE: EDO

AUTHOR: Jim Gibbons

AFFILIATION: REP

ADDRESSEE:

SUBJECT: Ref meeting to discuss research on the capability of nuclear fuel shipping casks to withstand terrorist attacks

ACTION: Appropriate

DISTRIBUTION: RF, OCA

LETTER DATE: 03/04/2002

ACKNOWLEDGED No

SPECIAL HANDLING:

NOTES: Rec'd via fax...Skip Young....(has referenced tapes)

FILE LOCATION: Adams

DATE DUE:

DATE SIGNED:

JIM GIBBONS
2ND DISTRICT, NEVADA



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March 4, 2002

Mr. Robert Temps
U.S. Nuclear Regulatory Commission
One White Flint
11555 Rockville Pike
D13 Mail Stop
Rockville, Maryland 20852

Dear Mr. Temps:

I understand that you will be hosting a meeting tomorrow that will, in part, discuss recent research on the capability of nuclear fuel shipping casks to withstand terrorist attacks. As Vice Chairman of the House Subcommittee on Terrorism and Homeland Security and a member of the Armed Services Committee, I am deeply concerned about possible terrorist attacks on any facet of America's nuclear capability, including shipments of spent nuclear fuel.

With that in mind, enclosed are three videotapes that I would respectfully ask you to review immediately and include in your discussion tomorrow. These tapes appear to show tests and test results in which missiles, or missile warheads, are used to test the ability of shipping casks to withstand missile attacks. The results are troubling.

The first two tapes are related. Tape #1 is from the U.S. Army's Aberdeen Proving Grounds, and appears to show two June 1998 tests during which a missile warhead is attached to a shipping cask of German design and detonated, with the result that it pierces the cask completely. In the second test, what appears to be a concrete wall is placed next to the cask and a warhead is attached to the wall and detonated; in this test, it appears that the cask is penetrated but not breached.

Tape #2, I understand, was prepared in 1998 by the private company that paid for the testing at Aberdeen, and appears to use different film of the same tests. The results of the testing are the same, but this second tape includes a very clear image of the large hole that is left in the cask.

It is my understanding that the shipping cask that appears in these tapes is a dual-use cask that has been licensed by the NRC and is in use in the United States for dry storage, and that an application for its use in transportation is pending before NRC. It is also my understanding that this cask is in extensive use for both storage and transport in Europe, and is considered to be among the most robust casks currently made.

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Tape #3, I understand, is from a 1991 television broadcast and appears to show the results of a test performed some years ago at Sandia National Laboratory during which an unidentified missile was fired at, or detonated on, a shipping cask with the result that the cask was breached and what appear to be fuel rods inside were damaged, as well.

I find these tapes to be of concern for several reasons. First, they appear to prove the vulnerability of shipping casks to missile attacks, a fact of which I was not previously aware, and which I suspect very few other people and Members of Congress are aware.

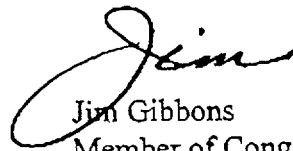
Second, it is my understanding that nuclear shipping casks can be licensed in the United States based solely on computer analysis and modeling, and that no actual destructive testing of casks proposed for future use in the U.S. is planned or expected.

And third, these tapes appear to raise legitimate questions about our ability to safely ship high-level nuclear waste and spent fuel spent on a large-scale basis, as is intended when a geologic repository for such materials is constructed and operating.

In the wake of the September 11th terrorist attacks, when the unimaginable became reality, I believe these issues, at a minimum, need to be thoroughly evaluated by NRC as part of the Commission's critical role in overseeing the management of the nation's nuclear materials.

If you have any questions about these issues, please do not hesitate to contact me. Please provide my Legislative Director Robert Uithoven a briefing after your meeting tomorrow and, on an on-going basis, please keep me apprised of your research and other efforts in the area of cask safety and vulnerability.

Sincerely,



Jim Gibbons
Member of Congress