

EDO Principal Correspondence Control

FROM: DUE: / / EDO CONTROL: G20020199  
DOC DT: 03/28/02  
FINAL REPLY:

Mary C. Ott  
Duxbury Citizens Urging Responsible Energy

TO:

Arrighi, NRR

FOR SIGNATURE OF : \*\* GRN \*\* CRC NO: 02-0247

DESC:

NRC's Recent Inspection Report on the Pilgrim  
Nuclear Power Plant

ROUTING:

Travers  
Paperiello  
Kane  
Norry  
Craig  
Burns/Cyr  
Miller, RI

DATE: 04/09/02

ASSIGNED TO: CONTACT:  
NRR Collins

SPECIAL INSTRUCTIONS OR REMARKS:

For Appropriate Action.

Template: SECY-017

E-RIDS: SECY-01

**OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET**

*Date Printed: Apr 08, 2002 15:53*

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**PAPER NUMBER:** LTR-02-0247

**LOGGING DATE:** 04/05/2002

**ACTION OFFICE:** EDO

**AUTHOR:** B Gallery

**AFFILIATION:** MA

**ADDRESSEE:** Nuclear Regulatory Commission

**SUBJECT:** Concerns NRC's most recent Inspection Report on the Pilgrim nuclear power plant

**ACTION:** Appropriate

**DISTRIBUTION:** Commissioners

**LETTER DATE:** 03/28/2002

**ACKNOWLEDGED** No

**SPECIAL HANDLING:**

**NOTES:**

**FILE LOCATION:** ADAMS

**DATE DUE:**

**DATE SIGNED:**

EDO --G20020199

March 28, 2002  
NRC Meeting – Plymouth, Ma  
Statement of Mary C. Ott, Co- Chairman  
Duxbury Citizens Urging Responsible Energy

The Nuclear Regulatory Commission's (NRC) most recent Inspection Report on Pilgrim states, "With continued uncertainty about the possibility of additional terrorist activities, the Nation's nuclear power plants remain at the highest level of security and the NRC continues to monitor the situation."

In spite of that uncertainty, Pilgrim continues to produce electricity with its aging reactor adjacent to a spent fuel pool holding 16 years inventory of highly radioactive spent fuel rods (over 2000 rods in a pool designed to hold 880).

As a potential target, it represents a clear and present danger, not just to the Plymouth area, but also to most of New England.

The following excerpts from the Code of Federal Regulations, 10 CFR Part, 1.11, entitled, The Commission, are very pertinent to these matters.

Part (a) outlines the composition and authority of the NRC. It gives the Chairman "ultimate authority for all NRC functions pertaining to an emergency involving an NRC licensee."

Part (b) outlines the Commission's responsibilities. "These responsibilities include protecting the public health and safety, protecting the environment, protecting and safeguarding nuclear materials and nuclear power plants in the interest of national security..."

Part 73, Physical Protection of Plants and Materials, outlines licensee requirements for protecting against design basis threats, including radiological sabotage and to prevent the theft of special nuclear material. The tragic events of September 11<sup>th</sup> demand that a design basis accident be redefined.

Part 50.13, "Attacks and destructive acts by enemies of the United States; and defense activities", offers further insights:

"...An applicant for a license to construct and operate a production or utilization facility,

or for an amendment to such license, is not required to provide for design features or other measures for the specific purpose of protecting against the effects of

- (a) Attacks and destructive acts, including sabotage, directed against the facility by an enemy of the United States, whether a foreign government or other person, or
- (b) Use or deployment of weapons incident to U. S. defense activities.

Clearly, federal regulations are in place to absolve Pilgrim's owner, Entergy, from the responsibility of protecting us. However, federal regulations are also in place to empower the NRC and specifically, its Chairman, Dr. Richard Meserve, to do so. Monitoring the situation for the past 6 months is unsatisfactory. Action is warranted, and it is the only way that those of us living in the shadow of nuclear power plants can be protected.

In the interest of the public health and safety, protecting the environment and the Nation's security, we implore the NRC to issue an order, effective immediately,

- 1) To shut down Pilgrim during "alert" status, and
- 2) To install a federal presence at this site capable of repelling a tragic act of terrorism such as that evidenced on September 11, 2001.

We ask that you convey our message to the NRC Commissioners. Thank you.

Received: from igate.nrc.gov  
by nrcgwia.nrc.gov; Thu, 28 Mar 2002 17:09:54 -0500  
Received: from nrc.gov  
by smtp-gateway ESMTP id RAA28852  
for <RJA1@nrc.gov>; Thu, 28 Mar 2002 17:08:03 -0500 (EST)  
From: BFGallery@aol.com  
Received: from BFGallery@aol.com  
by imo-r06.mx.aol.com (mail\_out\_v32.5.) id f.36.254d3657 (17080)  
for <RJA1@nrc.gov>; Thu, 28 Mar 2002 17:08:50 -0500 (EST)  
Message-ID: <36.254d3657.29d4ee72@aol.com>  
Date: Thu, 28 Mar 2002 17:08:50 EST  
Subject: To Russ Arrighi - RE: CURE statement  
To: RJA1@nrc.gov  
MIME-Version: 1.0  
Content-Type: multipart/mixed; boundary="part1\_36.254d3657.29d4ee72\_boundary"  
X-Mailer: AOL 7.0 for Windows US sub 118

--part1\_36.254d3657.29d4ee72\_boundary  
Content-Type: text/plain; charset="US-ASCII"  
Content-Transfer-Encoding: 7bit

Nice to meet you today. Hopefully our statement is attached. I am not a computer ace. Mary Ott

--part1\_36.254d3657.29d4ee72\_boundary  
Content-Type: application/octet-stream; name="March 28 NRC.doc"  
Content-Transfer-Encoding: base64  
Content-Disposition: attachment; filename="March 28 NRC.doc"  
Click to view Base64 Encoded File March 28 NRC.doc

**From:** Travis Tate  
**To:** Patricia Tressler  
**Date:** 4/4/02 3:47PM  
**Subject:** Fwd: RE: CURE statement

Patricia,

Attached you will find the e-mail I spoke to you about. This letter was read during the EOC meeting for Pilgrim and includes a request that it be passed on to the NRC Commissioners. The letter was later e-mailed to the Pilgrim resident inspector (Russ Arrighi), who passed it through his Branch Chief in Region I (Cliff Anderson). It was then forwarded to me from the Region.

A 2.206 Petition Review Board screened the letter for entrance into the 2.206 process. It was decided that although the request asked for enforcement action (shut down the plant), it does not meet the criteria for review under 2.206 and should be handled as routine correspondence.

Please review for assignment of action. Please contact me if you need any additional information.

Thanks,  
Travis

**From:** F. Paul Bonnett  
**To:** Travis Tate  
**Date:** 4/1/02 2:48PM  
**Subject:** RE: CURE statement

Travis,

Attached is Mary Ott's statement that she read at the public meeting and electronically forwarded to Russ Arrighi. It reads like a 2.206. Cliff and I discussed this and agree that the letter should be entered into the system at HQ. Therefore, would you take care of handling this on your end?

Thanks.

Paul

**CC:** Cliff Anderson; Robert Summers; Russell Arrighi; William Raymond

**From:** Russell Arrighi  
**To:** F. Paul Bonnett  
**Date:** 4/1/02 7:52AM  
**Subject:** Fwd: To Russ Arrighi - RE: CURE statement



**From:** Russell Arrighi  
**To:** Cliff Anderson; Robert Summers  
**Date:** 3/29/02 9:42AM  
**Subject:** Fwd: To Russ Arrighi - RE: CURE statement

Attached is Mary Ott's comment she made at the EOC meeting.

**CC:** William Raymond

**From:** <BFGallery@aol.com>  
**To:** <RJA1@nrc.gov>  
**Date:** 3/28/02 5:13PM  
**Subject:** To Russ Arrighi - RE: CURE statement

Nice to meet you today. Hopefully our statement is attached. I am not a computer ace. Mary Ott