

The Honorable Frank A. LoBiondo
United States House of Representatives
Washington, D.C. 220515-3002

June 18, 2002

Dear Congressman LoBiondo:

I am responding to a phone inquiry to the Nuclear Regulatory Commission's (NRC's) Office of Congressional Affairs from Lou Crescitelli of your staff requesting answers to questions on nuclear power plant security from one of your constituents, Jean Cooper Fuschillo, of Citizens Association for Protection of the Environment. Ms. Fuschillo attended a Homeland Security Conference, which resulted in a number of security-related questions (enclosed). Enclosed are responses to Ms. Fuschillo's questions.

We appreciate the degree of concern about nuclear power plant safety. As reflected in the enclosed response, the NRC is working to ensure the security of nuclear power plants.

Please contact me if you have additional questions regarding these matters.

Sincerely,

/RA/

William D. Travers
Executive Director
for Operations

Enclosure: As Stated

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RESPONSES TO QUESTIONS ABOUT NUCLEAR SECURITY

Issue 1. Are nuclear power plants safe if they have not been designed to withstand the impact of a 767 airplane? Should plants remain open until new standards are developed?

On September 21, 2001, NRC issued a press release (copy enclosed) that addressed the question of what would happen if a large commercial airliner was crashed into a nuclear power plant. Nuclear power plants have inherent capability to protect public health and safety through such features as robust containment buildings, redundant safety systems, and highly trained operators. They are among the most hardened structures in the country and are designed to withstand extreme events such as hurricanes, tornadoes, and earthquakes. The defense in depth philosophy used in nuclear facility design means that plants have redundant and separated systems in order to ensure safety. The design basis of nuclear power plants did not specifically contemplate attacks by aircraft such as Boeing 757s or 767s. As noted in the attached NRC press release (No. 01-112), in the months since September 2001 the NRC staff has been performing detailed engineering analyses to evaluate the potential effects of a deliberate attack by large aircraft on the structural integrity of the reactor containment building and other reactor support facilities. We continue to believe that the plants remain sufficiently safe to warrant their continued operation.

Issue 2. Is spent fuel stored within the containment dome at the Salem-Hope Creek plants?

Spent fuel at the Salem plant is stored in spent fuel pools within the fuel handling facility adjacent to the containment building, while spent fuel at the Hope Creek plant is stored in spent fuel pools inside the containment building.

The design basis allows licensees the option to store spent fuel either within the containment building or adjacent facility. Spent fuel pools use water to cool the spent fuel and shield personnel from radiation. The pools are robust structures constructed of very thick concrete walls with stainless steel liners, and are designed to withstand earthquakes.

Issue 3. What are the specific air-space restrictions around nuclear power plants? Is it possible for a small airplane to fly under the height limitations and not be detected at the Salem-Hope Creek facility?

On September 23, 2001, representatives of the FAA, the Department of Defense (DoD), and NRC met to discuss aviation security and determined that an FAA Notice to Airmen (NOTAM) was the appropriate vehicle to advise pilots about the need to avoid air space above sensitive sites, such as nuclear power plants. The NOTAM subsequently issued by the FAA on September 26, 2001, and updated by later NOTAMs, strongly urged pilots "to not circle or loiter over the following sites: Nuclear/Electrical power plants, power distribution stations, dams, reservoirs, refineries, or military installations, unless otherwise authorized by air traffic control or as required to land or depart at towered/non-towered airports." When aircraft are detected flying sufficiently close to the plants to warrant suspicion, licensees report this information to the FAA, local law enforcement, and the Federal Bureau of Investigation, as well as to the NRC.

ENCLOSURE

The NRC will continue to work with the FAA and other agencies to enhance air security as it pertains to NRC-licensed facilities and activities. Should additional restrictions be deemed appropriate as a result of more specific threats, the NRC will coordinate with the FAA and other Federal agencies, as appropriate.

Issue 4. Why at NRC “public hearings” is the public usually not allowed to ask questions or make statements?

The March 12, 2002, “Homeland Security Conference” referred to in Ms. Fuschillo’s letter was conducted by the Cape May County Board of Freeholders. Mr. Randy Blough, NRC Region I, was one of the invited guest presenters. However, the meeting was not an NRC meeting or hearing.

The NRC has recently revised its public meeting policy to enhance and clarify opportunities for public participation. Under the new policy, the public is afforded an opportunity to ask questions and comment. As explained in the attached NRC press release (No. 02-069), background materials such as agendas, related documents, and summaries of previous related meetings, will also be available before the meeting from the agency’s web site. Meetings are held to provide information to the public and to seek public views on various generic or site-specific issues.

Public hearings, on the other hand, are separate from public meetings. Hearings are considered adjudicatory proceedings which are held for various types of licensing actions, such as initial issuance of a license or renewal of a license. Hearings and related requirements are covered under 10 CFR Part 2 of the agency’s regulations.