

EDO Principal Correspondence Control

FROM: DUE: 06/11/02 EDO CONTROL: G20020322
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FINAL REPLY:

Representative John M. McHugh

TO:

Chairman Meserve

FOR SIGNATURE OF : ** PRI **

CRC NO: 02-0381

Chairman Meserve

DESC:

ROUTING:

NRC's Licensees Emergency Contingency Plans

Travers
Paperiello
Kane
Norry
Craig
Burns/Cyr
Collins, NRR

DATE: 05/30/02

ASSIGNED TO:

CONTACT:

NSIR

Zimmerman

SPECIAL INSTRUCTIONS OR REMARKS:

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**OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET**

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ACTION OFFICE: EDO

AUTHOR: John McHugh
AFFILIATION: REP
ADDRESSEE: Richard Meserve
SUBJECT: Concerns NRC's licensees emergency contingency plans in the wake of Sept 11, 2001.

ACTION: Signature of Chairman
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LETTER DATE: 05/23/2002
ACKNOWLEDGED No
SPECIAL HANDLING:

NOTES: Commission Correspondence
FILE LOCATION: Adams

DATE DUE: 06/13/2002 **DATE SIGNED:**

EDO --G20020322

JOHN M. McHUGH
24TH DISTRICT, NEW YORK

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May 23, 2002

Honorable Richard A. Meserve
Chairman
Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, Maryland 20852

Dear Chairman Meserve:

I am writing to seek your assistance in clarifying, specifically, what actions the Nuclear Regulatory Commission envisioned licensees taking with regard to enacting their emergency contingency plans in the wake of September 11th. To the extent possible, I would greatly appreciate being provided with a detailed explanation.

It is my understanding that in the immediate aftermath of the September 11th attacks, the NRC ordered all nuclear power plants, non-power reactors, nuclear fuel facilities and gaseous diffusion plants go to a Level 3 Security Alert. In response, licensees moved to strengthen and upgrade the security at their facilities.

Oswego County in my New York 24th Congressional District is home to three nuclear facilities: Constellation's Nine Mile Point and Entergy's Fitzpatrick. It is my understanding that as part of their federal licenses each plant is required to maintain an NRC-approved emergency contingency plan that is *updated yearly*. I would appreciate knowing if the NRC's actions in the wake of the September 11th attacks invoked these plants' emergency contingency plan.

In addition to being the location of three nuclear facilities, Oswego County is also unique in that the County Sheriff's Department, rather than the New York State Police, is the local partner providing emergency assistance under the aforementioned contingency plan. Therefore, am I correct in the assumption that based on the NRC's issuance of a Level 3 Security Alert, the Oswego County Sheriff's Department was required by law to provide on-site assistance and protection to these facilities? I would also appreciate being advised of how long the Level 3 Security Alert remained in effect and the need for the plants to implement their emergency contingency plans.

Your attention to this matter is greatly appreciated. I look forward to your response.

With every good wish, I remain

Sincerely yours,

John M. McHugh
Member of Congress

JMM/cjm