



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001**

July 5, 2002

Patricia Ferreira
Marianno Ferreira
116 Halgren Crescent
Haverstraw, NY 10927

Dear Mr. and Ms. Ferreira:

This is in response to the letter you wrote to the President dated October 17, 2001. First, let me apologize for the late response. The letter was originally routed to the Department of Energy, who forwarded it to the Nuclear Regulatory Commission (NRC). We received your letter on May 15, 2002 and are now providing this reply.

You inquired about the threat posed by aircraft and the need to maintain Federal guard forces at Indian Point. While NRC's position remains that nuclear power plants are well protected by private licensee security forces, Governors may decide to direct the deployment of National Guard troops at these facilities to enhance security. This has been done at several locations, including Indian Point, and it is our understanding that there are currently no plans to withdraw the National Guard forces from Indian Point in the near future. In addition, the Orders issued by the NRC on February 25, 2002, to operating reactor licensees, and on May 23, 2002, to decommissioning reactor licensees, enhance the security measures for the Indian Point facilities. The specific security measures are sensitive in nature, but generally include requirements for increased patrols, augmented security forces and capabilities, additional security posts, increased vehicle stand-off distances, and enhanced coordination with law enforcement.

You also suggested that anti-aircraft guns need to be deployed at that site as well. It should be recognized that nuclear power plants such as Indian Point are massive structures with thick exterior walls and interior barriers of reinforced concrete. The plants are designed to withstand tornadoes, hurricanes, fires, floods, and earthquakes. As a result, the structures inherently afford a measure of protection against deliberate aircraft impacts. Though the deployment of anti-aircraft weapons would be a decision for the military, the NRC has nonetheless consulted with the Department of Defense, the Office of Homeland Security, and the Federal Aviation Administration and has concluded that reliance upon anti-aircraft weaponry at nuclear power plants would pose significant command and control challenges. The operator of the anti-aircraft weapon would need continuous contact with someone who could authorize the downing of a civilian commercial aircraft, with all of the attendant implications, and would need to be able to carry out that act in seconds. It may be difficult in this context to distinguish an aircraft that had drifted off course from an aircraft on an attack mission. And, of course, anti-aircraft munitions that fail to hit their target could cause collateral damage to plant workers and the surrounding community. For these reasons, the NRC considers the best approach at the present time to deal with threats from aircraft is through the ongoing effort to strengthen airport and airline security measures.

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As a mitigative measure, the NRC has directed licensees, including the operators of Indian Point, to develop specific plans to respond to an event that results in damage to large areas of their plants from explosions or fire. These measures require ensuring the presence of Emergency Plan staffing and associated resources needed to respond to such a threat.

Thank you for the opportunity to address the concerns expressed in your letter to the President. Once again, I apologize for the delay in providing you a response.

Sincerely,

(/RA by R. P. Zimmerman)

Roy P. Zimmerman, Director
Office of Nuclear Security and Incident Response

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