

**CLOSE THE SALEM NUKES NOW**  
**The UNPLUG SALEM Campaign**  
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**Date: 08/04/02**

**To: John Zwolinski, NRC Office of Nuclear Reactor Regulation**  
**CC: Robert Fretz**

**Dear Mr. Zwolinski.**

**This letter contains comments from the UNPLUG Salem Campaign to the proposed Director's Decision to our 2.206 petition. Comments are by page number, with general comments at the end of this letter. This letter will be emailed as a Word file to Bob Fretz and mailed to Mr. Zwolinski.**

**Page 8 – we disagree with the assertion that security guards can “foster an effective deterrence” against potential terrorists. David Lochbaum of the Union of Concerned Scientists has provided much information to you. The bottom line is that the events of 9/11 mean that standards for deterring terrorists have risen. You do not explain how NRC has raised those standards.**

**At the bottom of page 8 – please explain in detail what you define as a “background check”. Please explain in detail what you define as “screening personnel, packages and vehicles”.**

**On page 9, line 4, saying that you “develop information” gives no time parameters. How long do these checks take? How do you deal with out of country information?**

**The paragraphs following “Protection of Vital Equipment” were based on information from before 9/11. Thus what you have written on pages 9 and 10 are no longer relevant and need to be revisited in light of 9/11. The last line on page 9, “hand-held automatic weapons” must be reviewed in light of 9/11.**

**On page 10: what kind of review of vehicle barriers has been done to see if they can withstand a commando attack of sufficient size to overpower the guards and then use explosives to clear the barriers away?**

**The last line on page 10 shows how your thinking is mired in the past: “most likely terrorist acts”. The**

whole point of 9/11 is that it is the unlikely terrorist acts we must prepare for.

On page 11 you say that “NRC performed numerous onsite...assessments”. You give no indication of the results of those assessments. This paragraph **MUST** be re-written to tell us what the results were and what improvements were made. This can be in a general sense, for example, “322 assessments were made, 120 high level and 450 low level suggestions were made.” NRC should not be able to get away with an unquantifiable statement.

In the next paragraph you discuss how NRC worked with other agencies. This is just whitewashing. Again, you provide **NO** quantifiable data about what improvements have been made or are in the pipeline. This section **MUST** be rewritten to provide us with data.

On page 12, line 9, again you really tell us nothing. Lines 10-13 should be re-written to specifically detail what improvements were made.

On page 13, under “NRC Response”, we disagree with the statement that “vital area barriers....are generally robust”. First of all, by using the word “generally”, you are implying that **SOME** barriers are **NOT** robust. The barriers that are not robust, such as the spent fuel pools at all 4 of NJ’s nukes, should be listed, and NRC should admit that **SOME** barriers are **NOT** robust. Secondly, the word “robust” needs to be defined, or a more accurate word used.

On page 14, you say “vital area barriers at many facilities”. Again, the use of the word “many” implies that **SOME** barriers do **NOT** afford sufficient protection. These lines should be rewritten to indicate which barriers do **NOT** protect.

At the end of the second paragraph you refuse to say what size of bomb barriers can protect plants from. This is a use of “national security” to withhold vital information from a stakeholder. This section should be rewritten to give us more information as to what size bomb barriers will not withstand and what NRC plans to do about it.

In the last paragraph, while we are pleased that NRC is granting our request, we disagree that this “granting” really means anything, because you have **NOT** demonstrated that Oyster Creek can indeed withstand the effects of an explosive device transported by a vehicle. This section should be rewritten by you to accurately demonstrate how Oyster Creek can withstand the effects.

On page 15 and 16, while we are pleased that NRC again grants our request that Oyster Creek and

**Salem must be able to protect their water intakes from attack, nowhere on page 15 do you describe HOW this protection occurs. Page 15 must be rewritten to describe in more detail, how the intakes are, and will be, protected.**

**We would also like to know what liability NRC has if, after granting our petition on intake defense without additional explanation, an attacker does succeed in penetrating the intake structure, thus causing a LOCA.**

**Pages 16-18 discuss vulnerabilities to airplane attack. Professor Frank von Hippel of Princeton University, and a workgroup of students have concluded in a recent study that all 4 of NJ's nukes are indeed vulnerable to a 767-type airplane strike. Thus we reject your refusal to grant us that portion of our 2.206 and request that you review your decision.**

**On page 16, you agree that nuclear plants were not designed to stop a jet impact and say that defense in depth affords a "measure" of protection. That line must be rewritten to define what a "measure" of protection means. On page 17 you continue to avoid to precisely define how well protected nuclear plants are. Lines 1 through 5 must be rewritten to give more information to the stakeholder.**

**On page 18, line 1 should be rewritten to list at least the threat against TMI and the general threats made to nuclear plants. We STRONGLY disagree with the statement that you feel that the possibility of an airliner strike remains "acceptably low". You must rewrite that section to define what "acceptably low" means, and to define at what level "unacceptable high" begins. Any comparison of chances must be based on the formerly "acceptably low" chances of four airliners being hijacked at the same time and then crashed into buildings. If the odds of an airliner strike are at least as high as 9/11, then those odds are TOO HIGH.**

**Finally, on page 18, you must detail what "additional actions" (line 11) NRC will take.**

**NRC should rewrite the above section to better answer our request, and to answer it in such a way that "odds" are not the key reason for rejection.**

**On page 19, we are referring to a number of scenarios submitted by David Lochbaum, of the Union of Concerned Scientists, that show vulnerabilities of all 4 NJ nukes to multiple sabotage. On line three, we suggest that "staff considers", be replaced by "staff AGREES". By listing all the barriers the way you**

do on this page, you do not respond to each concern separately. Each concern raised by Mr. Lochbaum should be answered separately, because some of your answers do not apply to each specific scenario. In addition, you need to define "other barriers" (bullet point 6), as "other barriers" means nothing.

While we are pleased that you have granted our request, without additional information from NRC it is not clear what you are granting. We totally disagree with you that reliance on defense-in-depth can be used, as it is on pages 19-20, as a catch-all to cover inadequacies in design and safety. We request that you more deeply explain how NJ's 4 nukes are protected against multiple attacks or fires.

As to your response on page 20 to Salem's bogus fire wraps, we demand more than just your "belief" (line 8) that defense-in-depth is adequate. Using the word "belief" on a science test essay would get you an F. We demand detailed proof of why you "believe" that NRC's deal with PSEG that allowed PSEG to not replace much of its bogus safe-shutdown cable wraps will not lead to safety problems IN CONJUNCTION WITH a terrorist attack and/or fire in two or more places at the same time at Salem Units 1 or 2.

On page 21, line 5, please change that line to read that the "requests....are PARTIALLY based..." Then add that we have concerns based on the security of any dry cask system, including concerns that the dry cask is above-ground instead of buried.

Your "NRC Response" that follows is unacceptable because it is merely a repeat of your standard response about nuclear plants in general. The spent fuel pools at Hope Creek and Oyster Creek are above ground and thus subject to a loss of water accident. The pools at Salem Units 1 and 2 are covered by a building, "no stronger than a K-Mart (Lochbaum)." By using the word "typically" in line 16 you avoid being specific about NJ's four nukes. Rewrite line 16 and specify the strengths and weaknesses of the four spent fuel pools in NJ.

On line 17 (last paragraph), the use of the word "certain" avoids the issue. Exactly how much of a level of protection is there. Rewrite that line to be accurate.

On page 22, we vehemently disagree with your statement that threat advisories adequately safeguard spent fuel pools. Those remarks are totally wrong and must be eliminated from your response. Your denial of our request that spent fuel storage facilities be made capable of withstanding a crash is one of the more indefensible parts of this document. We suggest that your staff revisit this part of your

analysis because the spent pools are some of the most vulnerable parts of a nuclear plant. Your refusal to strengthen the fuel pools is inexcusable.

We disagree with your denial, on page 23, of our request for an adjudicatory hearing on the dry cask storage at oyster Creek. Your response is based mostly on procedural grounds. The NRC has the ability to overcome procedural concerns if this action is in the public interest. The safety of the public is the paramount issue.

On pages 23 and 24, we disagree with your denial of our request to halt and reverse all dry cask permits. The bottom line is that the dry casks were built within 400 feet of route 9 and are basically indefensible against a concerted terrorist attack. The requirements you raise on page 23 as part of 10CFR73.51 have been made irrelevant by 9/11. None of your requirements stops a rocket attack. In addition, in the third line from the bottom, you again use the word "robust". Please remove that word and use terms that define exactly how well a cask is defensible.

Pages 24 and 25 discuss our concerns over complete loss of power, as that would be one way for a terrorist to cause a LOCA and/or meltdown. Because Salem is isolated on Artificial Island, which has only one road to the plant, and because determined terrorists could defend that road for an unknown amount of time, your SBO evaluation of 4 hours is flawed. Again, 9/11 changed everything, including your "engineering evaluation". The SBO should be refigured based on the assumption that terrorists with heavy weapons have cut all incoming power lines to the plant and have damaged the diesel generators. We feel that a four-hour battery backup is not sufficient.

We disagree with your analysis in paragraph 2 on page 25, because of your assumption on line 15 ("Provided that). We feel that this assumption of control of replenishment of water and sufficient battery power can be overcome by terrorists under certain conditions.

On page 25, third paragraph, change the word "considers" to "agrees".

While we appreciate that you partially grant our request, we urge you to rewrite this section to more accurately reflect the true post-9/11 realities.

Pages 26-30 deal with our concerns about OSRE. While we appreciate that you have partially granted our requests, your partial granting does not go far enough. We do not think that NRC should be allowed to wait until reviews are done or until Congress issues specific orders on OSRE. In the light of 9/11,

**OSRE is the one program that should be expanded by NRC, not eliminated. Thus we urge that the responses on page 26-30 be rewritten in light of 911.**

**Your excuse on page 28, line 11 that other industries do not have comparable testing is irrelevant and should be excised from your response. What matters is what NRC does, not what other agencies do.**

**We totally disagree with your assertion in line 16 that the industry can assume more responsibility for security. By accepting that assertion, you are placing peoples' lives in jeopardy. There must be an independent agency, in light of 911, to test nuke plant security.**

**Pages 30 and 31 deal with items you consider to be "rulemaking". We appreciate your partial granting of these requests. However, you do not detail which parts you have granted and which you have not. We request that the response be more detailed in this area and explain which requests were included and which were not, and why.**

**Pages 31 to 33 deal with KI. We request that your response be rewritten to read. "NRC supports KI distribution in the 50 mile EPZ zone."**

**Pages 33 to 37 deal with how stakeholder organizations can be allowed to observe emergency planning exercises and be integrated into the emergency planning system. We oppose your denial of our request because it is based on poor logic. You deny us the ability to participate because we presently do not participate. That makes no sense at all. NRC has the ability to work out a framework that would allow access to emergency preparedness exercises by stakeholder groups. In the light of 911, citizen groups would be a tremendous additional resource to emergency planners, both as a source of ideas and as a source of volunteers.**

**Finally, on page 38, while we appreciate your partial granting of our request, overall, your responses do not go far enough and are often evasive and at times not logical. We urge that you incorporate the changes requested in this letter into your final document.**

**Sincerely,**

**Norm Cohen**  
**Coordinator, UNPLUG Salem Campaign**