The Honorable Bob Graham
United States Senator
2252 Killearn Center Boulevard, Suite 300
Tallahassee, Florida 32309-3573

December 16, 2002

Dear Senator Graham:

I am responding to your letter of October 31, 2002, to Mr. Dennis Rathbun of the U.S. Nuclear Regulatory Commission (NRC). Your letter transmitted a letter from your constituent Betty Lou Wells dated October 17, 2002.

In her letter Ms. Wells enclosed newspaper clippings regarding two events at the St. Lucie Plant. The first article related to radioactive contamination of several workers during maintenance activities on October 6, 2002. The second related to a small jet plane that circled the plant on September 11, 2002. Ms. Wells considered the second event more significant and, considering the potential for terrorist attacks on nuclear plants, expressed her belief that extending the St. Lucie Plant operating license was unwise.

As requested, we have reviewed the information provided and we have the following comments.

Worker Contamination

On October 6, 2002, several contract workers inside the St. Lucie Unit 1 reactor building inhaled airborne radioactive particles as a result of high-pressure water cleaning of the reactor vessel head. As this event was confined to the area around the cleaning, it did not affect any members of the public. After completion of decontamination activities, the individuals were released. The licensee estimates that the highest radiation exposure received by any of the individuals was around 19 millirem. To place this in context, the average radiation exposure to a member of the public due to naturally occurring background radiation is around 300 millirem per year.

Title 10 of the *Code of Federal Regulations* (10 CFR), Part 20 defines the annual occupational radiation exposure limits for adults as 5000 millirems. Although the radiation exposure received by the contract workers was significantly below regulatory limits and reporting guidelines, the NRC is monitoring the progress of the licensee's investigation. Onsite resident inspectors and regional radiation protection inspectors are closely monitoring the licensee's continuing investigation and interim corrective actions concerning this event. At the conclusion of the licensee's investigation, the NRC will conduct a review of the investigation and the licensee's corrective actions, and then make a determination as to the regulatory significance in accordance with the NRC Reactor Oversight Process.

Small Jet Plane

On September 11, 2002, at 11 a.m. EDT, plant security personnel observed a small jet plane circling the plant at a distance of about 1 mile and an approximate elevation of 800 to 1000 feet. The aircraft was green and white but, due to the distance, the identifying numbers could not be read. After circling the plant four times, it departed. Florida Power & Light (FPL) reported the event to the NRC Headquarters Operations Officer, the Federal Bureau of Investigation and the Federal Aviation Administration (FAA). To date, no additional information has been obtained regarding the aircraft. It appears to have been an isolated event, which did not cause any damage or pose a significant threat to the St. Lucie Plant.

However, it appears that Ms. Wells' greater concern is the possibility of an aircraft attack on a nuclear plant, involving large commercial aircraft.

The Commission believes that the prompt response by Congress to strengthen aviation security under the Aviation and Transportation Security Act of 2001, provides improved protection against air attacks on all industrial facilities, both nuclear and non-nuclear. The Commission views that the nation's efforts associated with protecting against terrorist attacks by air should be directed toward enhancing security at airports and on airplanes. The NRC supports the steps taken by the FAA to improve aircraft security, including enhanced passenger and baggage screening, strengthening of cockpit doors, and the Air Marshal program. The NRC has been in regular communication with other Federal agencies, specifically the FAA and the Department of Defense (DOD), which have acted more than once to protect airspace above nuclear power plants.

The NRC has worked with the FAA to establish temporary no-fly zones at specific sites when warranted and considers this a significant enhancement to the protection of air space around nuclear power plants. However, the NRC recognizes the limitations inherent in relying on no-fly zones, unless authority is provided to enforce them, and does not recommend a general application of this approach to all nuclear power plants. Should additional restrictions be deemed appropriate as a result of changing or more specific threats, our communication with the other Federal agencies will allow prompt coordination.

Prior to September 11, 2001, the deliberate crashing of a commercial airplane into a nuclear power plant was not considered to be a credible threat. However, the NRC recognizes that nuclear power plant design could contribute to the survivability of the plant in the event of an aircraft impact. The NRC requires that these facilities be designed with a defense-in-depth philosophy to withstand dynamic events such as tornadoes (and missiles generated by tornadoes), hurricanes, fires, floods, and earthquakes. This has resulted in nuclear power plant designs that inherently afford a measure of protection against deliberate aircraft impacts because the defense-in-depth philosophy requires plants to have redundant and physically separated systems in order to ensure safety.

The NRC has conducted comprehensive reviews of plant safety and security measures at the St. Lucie Plant. In light of this and the additional steps taken to prevent potential attacks, in concert with the measures taken to strengthen plant security, we believe that the St. Lucie Plant is being operated safely. Be assured that the NRC will continue to closely monitor the performance of all the nuclear plants under our jurisdiction and should we find that licensees are not complying with NRC requirements, or not maintaining safe operations, the NRC will take appropriate action.

License Renewal

In a letter dated November 29, 2001, FPL applied for renewal of the operating licenses for both of the St. Lucie nuclear facilities. In 1995, the NRC amended the license renewal rule, 10 CFR Part 54, "Requirements for Renewal of Operating Licenses for Nuclear Power Plants," to establish a regulatory process that is more efficient, more stable, and more predictable than the previous license renewal rule. In particular, 10 CFR Part 54 was clarified to focus on managing the adverse effects of aging. The rule changes were intended to ensure that important systems, structures, and components will continue to perform their intended functions during the 20-year period of extended operation.

In 2001, the NRC issued Regulatory Guide 1.188, "Standard Format and Content for Applications to Renew Nuclear Power Plant Operating Licenses," which endorsed a method of implementing the license renewal rule. Although security programs were not included in the items required to be addressed for renewal of an operating license, the additional security requirements mentioned above will continue to apply to the St. Lucie units even if the license is extended.

If we can be of further assistance on this issue, please feel free to contact Ms. Eva Brown at (301) 415-2315.

Sincerely,

/RA by Carl J. Paperiello Acting For/

William D. Travers
Executive Director
for Operations

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Executive Director
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Docket Nos. 50-335
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