

January 17, 2003

Ms. Mary Lampert  
Massachusetts Citizens for Safe Energy  
and Nuclear Security Watch - MA  
148 Washington Street  
Duxbury, Massachusetts 02332

Dear Ms. Lampert:

I am responding on behalf of the United States Nuclear Regulatory Commission to your letter of November 29, 2002, concerning the status of issues related to the environmental impacts of an attack on nuclear facilities. The Commission, in four ongoing proceedings -- Duke Cogema Stone & Webster (application to construct a Mixed Oxide Fuel Fabrication Facility), Private Fuel Storage (application for an away-from-reactor Independent Spent Fuel Storage Installation (ISFSI)), Duke Energy Corporation (applications for license renewal for the McGuire and Catawba operating licenses) and Dominion Nuclear Connecticut Inc. (application for a license amendment) -- explicitly addressed the question of the NRC's responsibility under National Environmental Policy Act (NEPA) to consider the environmental impacts of terrorist acts on nuclear facilities.

On December 18, 2002, the Commission issued its decisions in these proceedings, concluding that, while the Commission must comprehensively address safeguards and physical security issues and the effects of postulated terrorist attacks as part of its Atomic Energy Act responsibilities, NEPA imposes no additional legal duty on the NRC to consider the environmental impacts of such acts. The bases for this conclusion is articulated in CLI-02-24, 25, 26, and 27, respectively, and can be found at the NRC website ([www.nrc.gov](http://www.nrc.gov)). As the decisions make clear, however, the Commission's decision that NPEA should not be construed to encompass terrorism issues does not mean that such matters are escaping consideration. On the contrary, terrorism-related issues are receiving extensive attention by the Commission and its licensees.

I appreciate your concern over this very important issue and thank you for your continued interest in security at nuclear power plants.

Sincerely,

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Richard A. Meserve