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FINAL REPLY:

Senator Hillary Rodham Clinton

TO:

Chairman Meserve

FOR SIGNATURE OF :

** PRI **

CRC NO: 02-0802

Chairman Meserve

DESC:

Security at Indian Point

ROUTING:

Travers
Paperiello
Kane
Norry
Craig
Burns/Cyr
Collins, NRR
Miller, RI

DATE: 12/17/02

ASSIGNED TO:

CONTACT:

NSIR

Zimmerman

SPECIAL INSTRUCTIONS OR REMARKS:

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**OFFICE OF THE SECRETARY
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ACTION OFFICE: EDO

AUTHOR: Sen Hilliary Clinton
AFFILIATION: SEN
ADDRESSEE: Richard Meserve
SUBJECT: Request that the security at the Indian Point reactors be tested so that any potential security gaps may be identified and addressed

ACTION: Signature of Chairman
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LETTER DATE: 12/13/2002
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DATE DUE: 12/31/2002 **DATE SIGNED:**

EDO --G20020707

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December 13, 2002

The Honorable Richard A. Meserve
Chairman
United States Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Chairman:

I am writing to request that the security at the Indian Point reactors be tested as soon as possible so that any potential security gaps may be identified and expeditiously addressed. As I indicated in my correspondence to you earlier this week, I am gravely concerned by several recent reports regarding inadequate security at our nation's nuclear power plants, in particular the Indian Point plant in New York. These reports suggest that guards at Indian Point and other United States nuclear power plants are routinely overworked, have become error-prone, lack adequate training, and are subject to intimidation when voicing their concerns.

It is my understanding that the Nuclear Regulatory Commission (NRC) may test security using mock terrorist attacks (i.e. force-on-force tests commonly referred to as OSREs) at four commercial nuclear power plants early next year. These would be the first such tests conducted since the terrorist attacks of September 11, 2001.

I strongly urge you to include the Indian Point facility as one of the four facilities being tested next year, and that the threat assumption used for this test accurately reflect the true threat now being faced in this post-9/11 environment. NRC has not tested Indian Point's security since March 1994. More importantly, security at the plant has never been tested using the threat assumptions that reflect the post-9/11 environment. This is simply not acceptable.

Since the events of September 11, 2001, many of my colleagues and I have repeatedly urged the NRC to quickly complete its revision of security regulations and to test plants to ensure that they can adequately defend themselves. I am sure that you agree that it is essential that nuclear power plants maintain the highest level of security. While I appreciate that the NRC faces many challenges in this regard, it is disconcerting that more than a year after the terrible events of September 11, 2001, the NRC has not revised its security regulations (i.e. the design basis threat).

Thank you for your consideration of this matter. I look forward to hearing by the end of this year whether Indian Point will undergo force-on-force testing next year and when such testing will take place. For your information, I am also writing to Mr. Michael Kansler, Chief Operating Officer of Entergy Nuclear Northeast to request that Indian Point volunteer to participate in such a test.

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In light of yesterday's announcement, I would like to take this opportunity to thank you for your efforts as NRC Commissioner. It has been a pleasure working with you. I congratulate you on your new position, and wish you well as you move into the post of President of the Carnegie Institution of Washington.

Sincerely yours,



Hillary Rodham Clinton

Hillary Rodham Clinton