

**ACTION**

MB72.11

EDO Principal Correspondence Control

FROM: DUE: 01/16/03

EDO CONTROL: G20030007

DOC DT: 01/09/03

FINAL REPLY:

Representative Edward J. Markey

TO:

Chairman Meserve

FOR SIGNATURE OF :

\*\* GRN \*\*

CRC NO: 03-0012

Chairman Meserve

DESC:

ROUTING:

Deliveries of Hazardous Materials, Including Fresh  
Nuclear Fuel Rods to the Hope Creek Nuclear Power  
Plant

Travers  
Paperiello  
Kane  
Norry  
Craig  
Burns/Cyr  
Miller, RI

DATE: 01/10/03

ASSIGNED TO:

CONTACT:

NRR

Collins

SPECIAL INSTRUCTIONS OR REMARKS:

ADVANCE COPY. Official copy will be  
sent to RIDS box when received.

Called DLPM on 1/10/03 at 2:33pm for pickup.  
Shemie

OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

*Date Printed: Jan 09, 2003 15:27*

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PAPER NUMBER: LTR-03-0012                      LOGGING DATE: 01/09/2003  
ACTION OFFICE: EDO

AUTHOR: Edward Markey  
AFFILIATION: REP  
ADDRESSEE: Richard Meserve  
SUBJECT: Request information regarding deliveries of hazardous materials, including fresh nuclear fuel rods, to the Hope Creek nuclear power plant

ACTION: Signature of Chairman  
DISTRIBUTION: RF, OCA to Ack

LETTER DATE: 01/09/2003  
ACKNOWLEDGED No  
SPECIAL HANDLING: Response requested NLT 1/24/2003  
NOTES: Commission Correspondence  
FILE LOCATION: Adams

DATE DUE: 01/21/2003                      DATE SIGNED:

EDO --G20030007

EDWARD J. MARKEY\*

7TH DISTRICT, MASSACHUSETTS

www.house.gov/markey

ENERGY AND COMMERCE COMMITTEE

RANKING MEMBER

SUBCOMMITTEE ON

TELECOMMUNICATIONS AND

THE INTERNET

RESOURCES COMMITTEE

# Congress of the United States

## House of Representatives

Washington, DC 20515-2107

January 9, 2003

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(508) 875-2900

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

Dear Mr. Chairman:

I am writing to request information regarding deliveries of hazardous materials, including fresh nuclear fuel rods, to the Hope Creek nuclear power plant in New Jersey. I have learned from employees at the facility that some transports are occurring without armed escorts, and that this may be in contravention of NRC regulations.

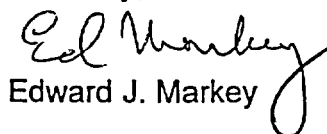
I have been informed that the Hope Creek reactor is currently receiving a shipment of new fuel rods. As these rods are being delivered, the delivery vehicle that carries them is hooked up to another vehicle, which then brings the shipment into the refueling facility. No armed escorts are reportedly accompanying the shipment.

I am concerned that this report, if true, is indicative of a major security lapse at the Hope Creek reactor, since it would cause the fuel rods to be at higher risk of being diverted by terrorists and used as a radiological weapon – perhaps with the insider assistance of the individual driving either the delivery vehicle or the facility vehicle that is used to complete the delivery. Consequently, I ask for your assistance in answering the following questions:

- 1) What is NRC policy concerning deliveries of hazardous materials, including new fuel rods, within nuclear power plants? Are armed escorts required to accompany such shipments? If not, why not?
- 2) Did PSEG Nuclear, the licensee of the Hope Creek nuclear power plant, allow one or more shipments of new fuel rods to be delivered without armed escorts accompanying it?
- 3) If such a shipment did occur, was PSEG Nuclear in violation of NRC regulations? If so, what penalties will be imposed?
- 4) What steps is NRC taking to ensure that PSEG Nuclear as well as other nuclear reactor licensees understand and comply with NRC regulations surrounding deliveries of hazardous materials?

Thank you very much for your prompt attention to this important matter. Please provide your response no later than Friday January 24, 2003. If you have any questions or concerns, please have your staff contact Dr. Michal Freedhoff of my staff at 202-225-2836.

Sincerely,

  
Edward J. Markey