

April 11, 2003

The Honorable Jon S. Corzine
United States Senate
Washington D.C. 20510

Dear Senator Corzine:

On behalf of the Nuclear Regulatory Commission (NRC), I am responding to your letter of March 3, 2003, regarding concerns about security at the Oyster Creek nuclear power plant in Lacey Township, New Jersey. In the letter, you request a thorough reassessment of the threat to the facility associated with a warehouse loading dock that is located outside of the protected area of the plant.

The NRC previously provided you a copy of a March 11, 2003 letter to New Jersey State Senator Leonard T. Connors, Jr., addressing the concerns regarding the loading dock and warehouse area at the site. As we explained in our response to State Senator Connors, this area is outside the perimeter of required security controls, and extensive measures are in place to make sure that vehicle access to this location will not threaten the plant nearby. Since that letter, the NRC has again visited the site to observe the area of concern and review the supporting analysis developed to address vehicle bomb threats. Our security specialists confirmed that access to this area presents no specific hazard for which additional security measures are warranted and verified that the warehouse area in question is, in actuality, greater than 400 feet from the Oyster Creek reactor building. The NRC specialists further noted that on March 14, 2003, the Oyster Creek owner had voluntarily taken action to further restrict public access to this area.

Immediately after the September 11, 2001 terrorist attacks, the NRC began a comprehensive review of the threat environment, as well as a review of our requirements for physical protection and security. We have approached these sensitive issues deliberately, consistent with the national view on the current threat environment, and have worked in coordination with the intelligence community, Federal law enforcement, the Department of Defense, the Department of Homeland Security, the Department of Energy, and various State officials. These efforts are still ongoing. Licensees voluntarily implemented additional security measures immediately following the events of September 11, 2001, in response to NRC's threat advisories. Compensatory measures that were considered necessary to provide adequate protection of public health and safety have been subsequently imposed by Order. We have performed audits and inspections at all sites, including Oyster Creek, to verify that these measures have been implemented.

Our ongoing reviews include a reevaluation of the size and weaponry of the attacking force against which nuclear power plants must be protected, which we refer to as the Design Basis Threat (DBT). Our February 25, 2002 Orders to all nuclear power plant licensees effectively made interim changes to the DBT by requiring actions to protect explicitly against a larger vehicle bomb and implicitly against other threats such as a larger attacking force. We

recently resumed force-on-force exercises for power reactors using enhanced adversary characteristics beyond the pre-September DBT. As you may recall, force-on-force exercises were temporarily suspended immediately following the terrorist attacks of September 11 due to concerns about their impact on security at the plants in the heightened threat environment. We are increasing the frequency of these NRC-evaluated exercises at power reactors from once every eight years to once every three years. An important component of these reviews includes enhanced "table-top" exercises (facilitated discussions using credible scenarios) that now involve a wide array of Federal, State, and local law enforcement and emergency planning officials. We believe that resumption of force-on-force testing will further improve both licensees' security capabilities and NRC's regulatory oversight processes. In addition to the NRC-evaluated exercises, many of our licensees conduct much more frequent force-on-force exercises as part of their guard force training programs.

A formal revision of the DBT will provide an updated foundation for the security programs at nuclear power plants. The Commission plans to make a decision on the revised DBT in the near term. Until then, I want to assure that the Commission's Orders requiring implementation of compensatory measures provide strong security for the current threat environment.

Please note that details involving the proposed changes to the DBT contain sensitive Safeguards Information. With respect to the concerns raised in the letter you received from Mr. Scott Portzline, the size of the vehicle bomb against which nuclear power plants are required to defend involves sensitive information classified as Safeguards Information under Section 147 of the Atomic Energy Act, as amended. We would welcome the opportunity to meet with you to discuss, at the Safeguards Information level, NRC nuclear power plant security requirements, including the ability to withstand an attack by a large vehicle bomb.

I trust this information is responsive to your concerns. Please contact me if additional information is needed.

Sincerely,

/RA/

Nils J. Diaz