

release

From: Glenn Tracy
To: Hubert J. Miller; Thomas Madden - NSIR/RI/OCA
Date: 6/26/03 3:13PM
Subject: Re: Fwd: Feedback on Entergy meeting with local officials

I think we need to discuss this further. Kansler's position is very consistent with that at a meeting with Roy and I several months ago. There clearly has to be a limit to the number, and also some consideration from both sides of the aisle, I would think. Also, the staffers are not typically cleared for SGI when we go to the Hill, only the members, so that needs to be addressed. We need to have a non-disclosure agreement with all these potential observers.

The pilot exercise is an NRC-led activity, not the licensee, but the licensee is ultimately accountable for the safe/secure conduct of the activity. We have to carefully consider these issues and realize that there will clearly be great interest as we near the date and more folk undoubtedly become aware of the dates. We should formalize the final policy for observers upon return from the meeting next week, since we have to consider fed, state, and local levels. My opinion is that a Congressional staffer is not an "independent" observation.... an independent observation is the State Public Security Commissioner, FBI local office senior agent or HQ WMD rep, etc. An independent observer needs experience with FoF testing/security to understand the drill and to allow for context of the results.

That said, I believe we have to allow for some level of Congressional participation and work with Kansler to ensure an appropriate policy determination regarding the levels allowed and folks chosen, as Hub has said. We will provide local insights from the meeting and get guidance from Chairman's office and senior management.

>>> Hubert J. Miller 06/26/03 02:34PM >>>
I spoke to Mike Kansler (Pres. Entergy NE) this afternoon.

He said Entergy clearly told "stakeholders" who were recently briefed about the F on F exercise that only Members of Congress would be permitted/invited to attend/observe. He said he did not want to open it up to more than the Members themselves. (Since the call, I have learned that the discussion with Cong staffers may not have been as clear as Kansler thinks.)

He said that Entergy plans to stage the observers in locations that would permit them to see some of the actual engagement (rather than be sequestered in a room in the training building as reported before). He expects the observers to include -- beyond NRC -- NEI, industry reps, Giuliani and his reps..... In response to my question, seems he wants to draw a hard line....e.g., not include Spano's security rep.....

He said he is concerned about the logistics of handling a large group....where do you "draw the line" when it comes to elected officials or their reps.... if some, why not all? is the concern..... he thinks they will not be able to have a very large contingent watching the exercise directly and will not be able to satisfy people hearing indirect reports sitting in some remote room getting partial information about the drill as it unfolds..... concern being this would be worse than not having them there at all.

I told him, we obviously needed to address the matter ourselves given that it is our drill but also need to discuss further since we cannot ignore what Entergy is able to do. I left it that we would have the team on site next Monday to review exercise logistics and talk further about this.....

I also let him know that there is a "policy" dimension to this that we have to weigh....many outsiders are looking for "independent observers to be there"..... more to follow. (I understand Dennis may have talked to the Chairman on this this morning.)

I will talk further with Roy Z and Bill K. before Mike Kansler and his boss (Gary Taylor) visit me in a scheduled "dropin" next Monday. I am sure the topic will come up there again.

Hub

C/1

>>> Thomas Madden 06/25/03 07:32AM >>>

Just one note on her attending. Other congressional offices are just as interested. Do we offer the same accommodations to them. If not why not. I know she asked to attend but open communications to all interested offices is the way to go.

>>> Hubert J. Miller 06/22/03 05:57PM >>>

ditto

>>> Roy Zimmerman 06/21/03 03:49PM >>>

i would support sen. clinton's local staffer, geri shapiro, being allowed to observe.

>>> Brian Holian 06/20/03 02:30PM >>>

Additional items. Geri Shapiro, local staffer for Sen. Clinton, called me with a summary of this force-on-force meeting. She thought it went well. She does have some follow-up items:

- 1) She asked Entergy if she could observe. Reportedly, Entergy said that will be up to NRC. As background, Ms. Shapiro was at the 9/24 EP exercise. She thought it very useful to be there. Constituents value an "independent" entity being there. She will be recommending to the Sen. that their office be there. She reminded me "security" is Sen. CLinton's issue.
- 2) She recommended that NRC consider making "some statement" the day of the exercise. There will be news organizations involved. Leaving it all to Entergy...is not in the best interest of the constituents. Her position is that NRC can say some things...."we are glad to be doing these drills; we are learning with each one; we will take lessons-learned and make changes as needed...etc." The public does not need a grade or safeguards info...but they would feel better with NRC statements.

I will be discussing these requests with NSIR.

Separately, she asked a FEMA rep about their upcoming decision. The FEMA rep said they have a date...and he could not say when. He did tell her that the congressional offices would get some prior notice.

>>> Hubert J. Miller 06/20/03 12:00PM >>>

Bill/Roy

FYI.... note from Diane on Entergy's meeting this morning with stakeholders on upcoming force-on-force at IP.

Sounds very positive.

Hub

CC: Alan Madison; Brian Holian; David Orrik; Dennis Rathbun; James Wiggins; John Jolicoeur; John Tomlinson; John White; Joseph Shea; Michael Weber; Ralph Way; Richard Crlenjak; Roy Zimmerman; Wayne Lanning; William Kane