

**From:** "Paul Gunter" <pgunter@nirs.org>  
**To:** <PST@nrc.gov>  
**Date:** 11/29/04 10:31AM  
**Subject:** FW: Communications on terrorism and nuclear infrastructure as 2.206 supplemental materials

Peter,

I inadvertently left you out of the original send of this message.

Please add this as supplemental communications and materials to the August 10, 2004 2.206 petition on the structural vulnerability of the irradiated fuel pools in Mark I & II BWRs.

Thanks,

Paul Gunter, Director

Reactor Watchdog Project

Nuclear Information and Resource Service

1424 16th ST NW Suite 404

Washington, DC 20036

Tel 202 328 0002

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From: Paul Gunter  
Sent: Wednesday, November 24, 2004 3:30 PM  
To: 'Tracey/ Glenn'; 'Zimmerman/Roy (RPZ@nrc.gov)'  
Subject: Communications on terrorism and nuclear infrastructure as 2.206 supplemental materials

DATE: November 24, 2004

TO:

Peter Tam, U.S. NRC Nuclear Reactor Regulation, 2.206 Petition Manager,  
G.E. Mark I & II Structural Vulnerabilities

Roy Zimmerman, Director, U.S. NRC Nuclear Security Incident Response  
(NSIR)

Glenn Tracey, U.S. NRC NSIR

Gentlemen,

This communication is advanced as supplemental material in the agency's current deliberative process for the August 10, 2004 "Petition to the United States Nuclear Regulatory Commission Requesting Emergency Enforcement Action To Address Structural Vulnerabilities of Boiling Water Reactors With Mark I and II Containments and Their Irradiated Fuel Pools" per Chapter 10 Code of Federal Regulation Part 2.206.

[To view the petition:

<http://www.nirs.org/reactors/BWR2206Annexfinal81004.pdf> and

<http://www.nirs.org/reactors/BWR2206petitionfinal81004.pdf>]

NIRS is confident that NRC/NSIR has reviewed the Central Intelligence Agency report referenced in the November 23, 2004 New York Times article. <http://www.nytimes.com/reuters/news/news-security-wmd.html>

However, I wish to draw your attention to the CIA identification of U.S. nuclear power stations as potential pre-deployed radiological-enhanced weapons of mass destruction with the excerpt from the article "CIA Says Iran, Qaeda Pursued Nuclear Weapons" which states:

"In addition, we are alert to the very real possibility that al Qaeda or other terrorist groups might also try to launch conventional attacks against the chemical or nuclear industrial infrastructure of the United States to cause panic and economic disruption," the CIA report said.

The article underscores the nature of our nuclear security emergency and the urgency for thorough security mitigation measures and appropriate enforcement action for upgrading nuclear security. We remain concerned that NRC does not yet require industry to affect comprehensive and meaningful security measures including structural changes nor has the agency taken appropriate enforcement action in response to identified security and structural vulnerabilities conveyed through generic communications and Orders.

Specifically, this communication addresses the 32 General Electric Boiling Water Reactors Mark I and Mark II units with elevated irradiated fuel storage ponds that remain uniquely vulnerable according to pre-September 11th NRC documents. This vulnerability is documented in detail in the attached August 10, 2004 Petition for Emergency Enforcement Action (10 CFR 2.206) as submitted to your agency focusing on the common knowledge of the vulnerability and the need for emergency structural upgrades and defensive measures to protect the thousands of tons of high-level radioactive waste precariously perched on these reactor rooftops from a variety of attacks including hijacked commercial, general aviation and explosive-laden private aircraft.

Additionally, NIRS submits the following URL as further supplemental material to the August 10, 2004 Petition for Emergency Enforcement Action for the Mark I & II BWRs with regard to:

"Bin Laden Expert Steps Forward," CBS News "60 Minutes," Nov. 14, 2004.

<http://www.cbsnews.com/stories/2004/11/12/60minutes/main655407.shtml>

Specifically, I draw your attention to the CBS News interview with Michael Scheuer, former CIA specialist on Bin Laden, who publicly identified an intercepted May 2003 "fatwa" or Islamic decree from Saudi sheik Hamid bin Fahd to Osama bin Laden justifying the use of "nuclear weapons of some dimension" against Americans, including a nuclear weapon, a dirty bomb, or some kind of radiological device. The tremendous and horrible inventories of radiation contained within these vulnerable Mark I & II irradiated fuel storage ponds located near major U.S. population centers such as Chicago, Detroit, Philadelphia and Boston must be contemplated as potential targets of opportunity given the identified fatwa that require prompt and thorough regulatory emergency enforcement action.

Paul Gunter, Director

Reactor Watchdog Project

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**Creation Date:** 11/29/04 10:32AM

**From:** "Paul Gunter" <pgunter@nirs.org>

**Created By:** pgunter@nirs.org

**Recipients**

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PST (Peter Tam)

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