

January 12, 2005

Ms. Leslie E. Scott
3030 Inverness Farm Road
Bloomington, IN 47401

Dear Ms. Scott:

I am responding on behalf of the Nuclear Regulatory Commission (NRC) to your letter dated November 22, 2004. In your letter, you expressed concerns about the security of our country's nuclear power plants and proposed that all plants immediately cease operation and that special efforts be made to protect the waste products from attack.

The NRC is highly committed to its primary mission to ensure protection of public health and safety. As part of this mission, the NRC regulations set high standards for effective security programs at nuclear power plants, and the NRC closely monitors nuclear power plants to ensure that they are maintained and operated in accordance with these regulations. NRC regulations ensure that nuclear power plants are among the most secure industrial facilities in our nation. Nuclear power plants are massive structures built with thick exterior walls and interior barriers of reinforced concrete. As a result, these structures inherently afford a large measure of protection against deliberate terrorist attack. In addition to the layers of protection offered by plant design features, sophisticated surveillance equipment, physical security protective features, professional security forces, and access authorization requirements are in place to both deter attacks and prevent potential attacks from impacting equipment vital to nuclear safety.

Since the terrorist attacks of September 2001, the NRC has sought to further strengthen the existing high level of protection of the nation's nuclear power plants, working in close coordination with the Federal Bureau of Investigation (FBI), the Department of Homeland Security (formerly the Office of Homeland Security), the Federal Aviation Administration, the Department of Defense, State and local authorities, and other intelligence and law enforcement agencies, as well as NRC licensees. Close NRC coordination with these agencies is ongoing.

In order to determine how much physical protection is enough, the NRC is closely tied into the National intelligence community to keep abreast of foreign and domestic events and to remain aware of the capabilities of potential adversaries. We use this information, and other data, to prescribe the physical protection requirements in our regulations. This information is also used to establish the characteristics, weapons and tactics of a potential adversary force against which all nuclear power plant licensees must design their physical protection systems and response strategies.

Since September 11, 2001, the NRC has taken a number of steps to further enhance security at the nuclear power plants, most of which are detailed in the NRC report, "Protecting our Nation - Since 9-11-01," which is available on our website at <http://www.nrc.gov/reading-rm/doc-collections/nuregs/brochures/br0314/>.

The extensive security measures required by the NRC minimize the likelihood of a successful sabotage event. However, additional site-specific studies of operating nuclear power plants are underway or being planned to determine the need, if any, for additional mitigating capability on a site-specific basis.

You requested that special efforts be made to protect the waste products (i.e., spent nuclear fuel) from attack. The NRC has regulatory requirements specifically for the physical protection of irradiated reactor fuel in Title 10 of the *Code of Federal Regulations* (10 CFR) Part 73. We believe that spent fuel can be safely stored at reactor sites, either in the spent fuel pools or in independent dry-cask storage systems, until it can be shipped to a centralized interim spent fuel storage facility or a permanent disposal facility. The NRC will continue to conduct evaluations of the safety and security of spent fuel at our nation's nuclear facilities. If the results of these evaluations or any other information suggest that further actions are necessary, the NRC is prepared to take appropriate measures to ensure the continued safety and security of these facilities and the health and safety of the public. Additional information regarding spent fuel pools can be found on the NRC website at <http://www.nrc.gov/waste/spent-fuel-storage.html>

On the basis of the actions taken to date, the NRC disagrees that the operation of the nation's nuclear power plants should be suspended. I appreciate the opportunity to respond to your concerns, and hope that you find this information useful.

Sincerely,

/RA/

Cornelius F. Holden, Jr., Director
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

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