

**From:** Sheila McKelvin  
**To:** internet:WH\_AGL\_BULK@WHO.EOP.GOV  
**Date:** 12/10/03 9:55AM  
**Subject:** WH REFERRAL #320686

Attached is the response to a letter referred to the Nuclear Regulatory Commission for reply. This item was on the list provided to me on December 9, 2003.

Sheila L. McKelvin  
Office of the Secretary  
(301) 415-1674  
slm3@nrc.gov

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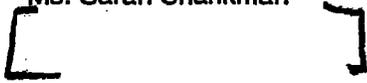
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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

October 27, 2003

Ms. Sarah Shankman



Ex. 6

Dear Ms. Shankman:

I am replying to your letter to President Bush dated April 30, 2003, that was recently forwarded to the Nuclear Regulatory Commission (NRC) for response. In your letter, you expressed concerns over the security of the Indian Point Nuclear Generating Unit Nos. 2 and 3 (Indian Point).

NRC regulations set high standards for safety at nuclear power plants and other sensitive nuclear facilities. Since the NRC's inception, security has been an important part of the NRC's regulatory activities, with defense-in-depth as the guiding design and operating principle. NRC regulations ensure that nuclear power plants are among the most hardened and secure industrial facilities in our nation. The many layers of protection include robust plant design features, sophisticated surveillance equipment, physical security protective features, professional security forces, and access authorization requirements. Together, these layers of protection provide an effective deterrent against potential safety or security problems related to terrorist activities that could target equipment vital to nuclear safety.

Immediately after the terrorist attacks on September 11, 2001, 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 coordinated our efforts with the Federal Bureau of Investigation, the Department of Homeland Security, the Federal Aviation Administration, the Department of Defense, State and local authorities, and other intelligence and law enforcement agencies.

Although there have been no credible threats against the nation's nuclear power plants, the NRC has taken a number of steps to further improve the already high level of security, including more training for security guards and requiring additional guards at the plants. The effectiveness of these security program improvements has been verified by the NRC. In addition, the NRC recently conducted a pilot force-on-force exercise at Indian Point designed to identify deficiencies in licensee security programs and to train personnel in the response to an assault. The force-on-force exercises will be conducted at all nuclear power plants on a triennial basis. The results from the Indian Point exercise show that the licensee has a strong defensive strategy and capability that continues to give the NRC reasonable assurance that the facility can be adequately protected against terrorist attacks.

NRC regulations require that comprehensive emergency plans be prepared and periodically exercised to assure that actions can and will be taken to notify and protect citizens in the vicinity of a nuclear facility in the event of a radiological emergency. Federal oversight of radiological emergency planning and preparedness involves both the Federal Emergency Management Agency (FEMA) and NRC. While NRC has overall responsibility, FEMA takes the lead in reviewing and assessing offsite planning and response and in assisting State and local governments. NRC reviews and assesses the licensees' onsite planning and response.

Federal law establishes the criteria for determining whether offsite plans and preparedness provide reasonable assurance that appropriate measures can and will be taken to adequately protect the public in the event of a radiological emergency.

Earlier this year, FEMA provided the final exercise report for the Indian Point biennial exercise conducted in September 2002 and updated its review of emergency response plans that were revised in 2002. In the report, FEMA identified a number of areas requiring corrective action, but did not identify any issues that would indicate an inability to protect public health and safety. On July 25, 2003, FEMA issued its final determination of reasonable assurance that offsite preparedness for Indian Point is adequate. Based on this finding and in conjunction with our continuing oversight of the licensee's on-site emergency planning and preparedness, the NRC remains confident that emergency preparedness for this site is adequate. An important consideration in this determination involves the significant steps, as discussed above, taken to strengthen security since the September 2001 terrorist attacks. Planning for possible emergencies is an ongoing process; therefore, the NRC will continue to work closely with FEMA, the State, counties, and the licensee, Entergy, in their efforts to improve emergency planning and preparedness for Indian Point.

On the basis of the actions taken to date, the NRC has concluded that the operation of the Indian Point facility does not need to be suspended. The NRC continues to actively monitor safety and security at Indian Point and is prepared to take measures to ensure the continued safety of Indian Point and all of our nation's nuclear facilities.

I appreciate the opportunity to respond to your concerns, and I hope that you find this information useful.

Sincerely,

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