

EDO Principal Correspondence Control

FROM: DUE: 03/22/05 EDO CONTROL: G20050166  
DOC DT: 03/08/05  
FINAL REPLY:

Representative Edward J. Markey

TO:

Chairman Diaz

FOR SIGNATURE OF :

\*\* PRI \*\*

CRC NO: 05-0124

Chairman Diaz

DESC:

ROUTING:

Installation of Security Device - Millstone

Reyes  
Virgilio  
Kane  
Merschhoff  
Silber  
Dean  
Burns/Cyr  
Dyer, NRR  
Collins, RI  
Rathbun, OCA

DATE: 03/09/05

ASSIGNED TO:

CONTACT:

NSIR

Zimmerman

SPECIAL INSTRUCTIONS OR REMARKS:

Template: SECY-017

E-RIDS: SECY-01

OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

Date Printed: Mar 09, 2005 10:13

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**PAPER NUMBER:** LTR-05-0124 **LOGGING DATE:** 03/08/2005  
**ACTION OFFICE:** EDO  
  
**AUTHOR:** Edward Markey  
**AFFILIATION:** REP  
**ADDRESSEE:** Nils Diaz  
**SUBJECT:** Cominon Nuclear Connecticut Inc., the licensee of the Millstone nuclear power plant  
  
**ACTION:** Signature of Chairman  
**DISTRIBUTION:** RF, OCA to Ack  
  
**LETTER DATE:** 03/08/2005  
**ACKNOWLEDGED:** No  
**SPECIAL HANDLING:** Comr. Correspondence  
**NOTES:**  
**FILE LOCATION:** ADAMS  
**DATE DUE:** 03/15/2005 **DATE SIGNED:**

EDO --G20050166

EDWARD J. MARKEY  
7TH DISTRICT, MASSACHUSETTS

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SUBCOMMITTEE ON  
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THE INTERNET

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March 8, 2005

The Honorable Nils J. Diaz  
Chairman  
Nuclear Regulatory Commission  
11555 Rockville Pike  
Rockville, MD, 20852

Dear Chairman Diaz:

I am writing regarding information received by my office that the Dominion Nuclear Connecticut Inc., the licensee of the Millstone nuclear power plant, refused the Commission's offer to install a free device that would greatly enhance security at the facility because it didn't want to assume the maintenance costs. I am deeply concerned that this information, if true, reflects a lack of commitment for the security of the power plant on the part of the licensee and a disregard for the health and safety of the nearby communities.

Many nuclear power plants which employ a "once-through" cooling system, including Millstone, Pilgrim and Seabrook, pump in millions of gallons of water per day through water intake structures located on nearby bodies of water. The water is constantly circulated through complex systems to cool the reactor and maintain the temperature where spent fuel is stored in pools, among other functions. In the case of the Millstone plant, these structures are located on Niantic Bay, an estuary of the Long Island Sound.

If an interruption in the flow of water from the intake structures occurs, there would be a serious threat to the safe operation of the facility. Indeed, it is my understanding that a serious interruption in the flow of water to either Unit 2 or Unit 3 from the point of intake could lead to plant meltdown and catastrophe. It is therefore critical that the flow of water through the intake structures at Millstone not be interrupted.

As you know, Al Qaeda has long considered U.S. nuclear facilities to be attractive terrorist targets, and a waterborne attack is one method terrorists could use. I have been informed that currently, no obstacle is in place at the Millstone facility to impede an attack by, for example, suicidal terrorists who drive a motorboat laden with explosives into the intake structures at the facility.

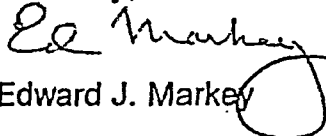
I have been informed that in 2004, the Commission offered to install a device – at no cost - at the Millstone intake structures to serve the purpose of impeding and thwarting such a postulated waterborne attack. I have also been informed that the licensee rejected the offer because it did not wish to assume costs to maintain the device.

This information, if true, would highlight a stunning lack of concern for the security of the facility and the health and safety of the nearby communities. Consequently, I ask for your prompt responses to the following questions:

- 1) Did the Commission offer to install a device that could help to impede a waterborne attack on the Millstone nuclear power plant? If so, when, and was the offer made at no cost to the licensee as I was informed was the case? Did the licensee of the facility accept or reject this offer, and on what basis was the acceptance or rejection made? Please provide copies of all correspondence, emails, memos and phone logs related to this matter.
- 2) Has the Commission offered to install similar devices at other reactors that are vulnerable to waterborne attacks? If so, please provide a list of each facility to which such an offer was made, the date on which the offer was made, whether the licensee accepted or rejected the offer (and on what basis the acceptance or rejection was made), and if the offer was accepted, on what date the device was or will be installed.
- 3) Has the Commission offered to provide other technologies to reactor licensees that could help address some of the facilities' vulnerabilities to attacks (including but not limited to waterborne attacks)? If so, please provide a list of each facility to which such an offer was made, the type of technology offered and the vulnerability it was intended to address, the date on which the offer was made, whether the licensee accepted or rejected the offer (and on what basis the acceptance or rejection was made), and if the offer was accepted, on what date the technology was or will be installed.

Thank you very much for your attention to this important matter. Please provide your response no later than April 8, 2005. If you have any questions or concerns, please have your staff contact Dr. Michal Freedhoff of my staff at 202-225-2836.

Sincerely,

  
Edward J. Markey

**From:** "Freedhoff, Michal" <Michal.Freedhoff@mail.house.gov>  
**To:** "Betsy Keeling" <BJK@nrc.gov>, "Dennis Rathbun (dkr@nrc.gov)" <dkr@nrc.gov>  
**Date:** 3/8/05 1:48PM  
**Subject:** Markey letter

Hi there

This went out today. When can we expect the health response and a resolution of the force-on-force issue? Thanks

Michal

Michal Ilana Freedhoff, Ph.D.  
Senior Policy Associate  
Office of Congressman Edward J. Markey (D-MA)  
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202-225-2836

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Subject: Markey letter  
Creation Date: 3/8/05 11:24AM  
From: "Freedhoff, Michal" <Michal.Freedhoff@mail.house.gov>

Created By: Michal.Freedhoff@mail.house.gov

Recipients

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BJK (Betsy Keeling)

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DKR (Dennis Rathbun)

<b>Post Office</b>	<b>Route</b>
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Files	Size	Date & Time
MESSAGE	325	03/08/05 11:24AM
TEXT.htm	4842	
03-08-05onMillstonesecurityfunding.pdf		837231
Mime.822	1153192	

**Options**  
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Reply Requested: No  
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Concealed Subject: No  
Security: Standard