

April 24, 2006

The Honorable Richard Blumenthal
Attorney General
State of Connecticut
55 Elm Street
Hartford, CT 06106

Dear Mr. Blumenthal:

I am writing in response to your March 23, 2006, letter and to statements you made at the NRC Millstone Annual Public Assessment Meeting on March 29, 2006, in which you expressed concerns regarding the Millstone perimeter security system, the alleged retaliatory dismissal of a Millstone employee, and the potential safety impact of a proposed liquified natural gas (LNG) terminal in the vicinity of the Millstone site.

In response to your first concern regarding the Millstone perimeter security system, be assured that the owner of the Millstone station has taken the necessary actions to address potential security-related issues that were identified. When necessary to confirm reactor safety and security program effectiveness in response to non-conforming conditions, the NRC independently verifies that immediate corrective actions or interim compensatory measures are taken. We have done so in this case. As you know, the NRC does not publicly provide detailed information related to security matters. While we are fully committed to our goal of openness with members of the public through communication, we must balance that goal with the more immediate need of ensuring the continued safe and secure operation of nuclear facilities in our country and do not provide information that may be of potential use to an adversary. We would be pleased, however, to coordinate with you and other Connecticut government officials to provide this information privately, if desired.

In response to your second concern regarding the purported retaliatory dismissal of one of Dominion's employees, the NRC is aware of this concern and has an ongoing investigation into whether any adverse action was taken against the individual for raising safety issues. The Department of Labor, as well as the Connecticut State Department of Public Utility Control, also have investigations ongoing. If the NRC finds that discrimination occurred, we will take appropriate action consistent with our enforcement policy. Regarding whether such actions could have an impact on the willingness of other site personnel to raise safety issues, it is important to note that the NRC, through biennial corrective action program inspections and routine inspector oversight, regularly inspects and monitors the safety conscious work environment at Millstone (as well as all other commercial nuclear power plant sites in the country). These inspections provide key insights regarding the licensee maintaining an environment in which employees feel free to raise concerns both to their management and/or the NRC without fear of retaliation, and that employees are encouraged to raise such concerns.

In response to your third concern regarding the potential safety and security impacts of the proposed Broadwater LNG storage and regasification unit, be assured that while the NRC does not directly license such a facility (that responsibility belongs with the Federal Energy Regulatory Commission (FERC)), the NRC has processes in place to consider the impact of such a facility and to provide for the protection of the health and safety of the public in the vicinity of the Millstone Power Station. An important element in the licensing basis of Millstone is the maintenance of its Final Safety Analysis Report (FSAR), a detailed document describing the design of the facility. Millstone is responsible for updating the FSAR periodically to ensure that the FSAR contains the latest information (per Code of Federal Regulations 10 CFR 50.71(e)). This responsibility applies not only to modifications that result from design changes at the facility but is equally applicable to assessing the impact of changes made to the environs surrounding the facility (such as the proposed Broadwater LNG plant).

The NRC routinely reviews each licensee's FSAR, in which, the licensee must demonstrate site suitability. Millstone is required to submit FSAR changes to the NRC for review. The NRC review, among other things, considers site-specific features such as distances from nearby facilities, intervening terrain, and the types of material (i.e., flammable, hazardous chemicals) at each nearby facility. For the proposed facility this review would also include the potential impact of LNG tankers passing within close proximity of the Millstone site. If the NRC review identified a concern with the operation of the facility in proximity to the plant, the NRC would take action (per 10 CFR 2.202) to modify the nuclear plant's license. Whenever there is a potential impact of a proposed facility on an NRC licensee, the NRC takes an active role in maintaining communications with FERC and other appropriate Federal agencies to ensure the protection of the health and safety of the public in the vicinity of the nuclear power plant. For comparison purposes, a similar situation exists between the Cove Point LNG facility and the Calvert Cliffs Nuclear Plant in Lusby, Maryland.

Thank you for this opportunity to provide you with information concerning the Millstone site. Should you have any other questions, please do not hesitate to contact either me at (610) 337-5299 or Paul Krohn, Region I Branch Chief responsible for oversight of the Millstone facility at (610) 337-5120.

Sincerely,

/RA/

Samuel Collins
Regional Administrator

cc: J. A. Price, Site Vice President, Millstone Station
C. L. Funderburk, Director, Nuclear Licensing and Operations Support
D. W. Dodson, Supervisor, Station Licensing
First Selectmen, Town of Waterford
B. Sheehan, Co-Chair, NEAC
E. Woollacott, Co-Chair, NEAC
E. Wilds, Director, State of Connecticut SLO Designee
J. Buckingham, Department of Public Utility Control

In response to your third concern regarding the potential safety and security impacts of the proposed Broadwater LNG storage and regasification unit, be assured that while the NRC does not directly license such a facility (that responsibility belongs with the Federal Energy Regulatory Commission (FERC)), the NRC has processes in place to consider the impact of such a facility and to provide for the protection of the health and safety of the public in the vicinity of the Millstone Power Station. An important element in the licensing basis of Millstone is the maintenance of its Final Safety Analysis Report (FSAR), a detailed document describing the design of the facility. Millstone is responsible for updating the FSAR periodically to ensure that the FSAR contains the latest information (per Code of Federal Regulations 10 CFR 50.71(e)). This responsibility applies not only to modifications that result from design changes at the facility but is equally applicable to assessing the impact of changes made to the environs surrounding the facility (such as the proposed Broadwater LNG plant).

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