

EDO Principal Correspondence Control

FROM: DUE: / / EDO CONTROL: G20070755
DOC DT: 10/25/07
FINAL REPLY:

Representative Nita M. Lowey

TO:

Chairman Klein

FOR SIGNATURE OF : ** PRI ** CRC NO: 07-0721

Chairman Klein

DESC:

ROUTING:

Security at Indian Point/Sleeping Guards/Document
Request (EDATS: SECY-2007-0463)

Reyes
Virgilio
Kane
Ash
Ordaz
Burns
Dyer, NRR
Zimmerman, NSIR
Carpenter, OE
Caputo, OI
Bell, OIG
Cyr, OGC
Schmidt, OCA
Taylor, OEDO

DATE: 10/26/07

ASSIGNED TO:

CONTACT:

RI

Collins

SPECIAL INSTRUCTIONS OR REMARKS:

Due date will be determined after OCA/EDO/Staff agree on estimated time needed to provide documents. Staff needs to focus on security related documents since Entergy took over. Prepare response to Representative Lowey for the signature of the Chairman providing one set of documents. Coordinate with NRR, NSIR, OE, OI and OIG, as appropriate. See attached Commission Office and Staff Instructions.
OEDO POC: Rob Taylor

Template: SECY-017

E-RIDS: SECY-01

EDATS

Electronic Document and Action Tracking System

EDATS Number: SECY-2007-0463

Source: SECY

General Information

Assigned To: ~~NSR~~ **RI**

OEDO Due Date: NONE

Other Assignees:

SECY Due Date: NONE

Subject: Security at Indian Point/Sleeping Guards/Document Request

Description:

CC Routing: NRR; Region I; OE; OGC; OCA

ADAMS Accession Numbers - Incoming: NONE

Response/Package: NONE

Other Information

Cross Reference Number: G20070755, LTR-07-0721

Staff Initiated: NO

Related Task:

Recurring Item: NO

File Routing: EDATS

Agency Lesson Learned: NO

Roadmap Item: NO

Process Information

Action Type: Letter

Priority: Medium

Sensitivity: None

Signature Level: Chairman Klein

Urgency: NO

OEDO Concurrence: YES

OCM Concurrence: NO

OCA Concurrence: NO

Special Instructions: Due date will be determined after OCA/EDO/Staff agree on estimated time needed to provide documents. Staff need to focus on security related documents since Entergy took over. Prepare response to Representative Lowey for the signature of the Chairman providing one set of documents. Coordinate with NRR, Region I, and OE, as appropriate.

03,016

Document Information

Originator Name: Representative Nita M. Lowey

Date of Incoming: 10/25/2007

Originating Organization: Congress

Document Received by SECY Date: 10/26/2007

Addressee: Chairman Klein

Date Response Requested by Originator: NONE

Incoming Task Received: Letter

**OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET**

Date Printed: Oct 25, 2007 17:01

PAPER NUMBER: LTR-07-0721 **LOGGING DATE:** 10/25/2007
ACTION OFFICE: EDO

AUTHOR: REP Nita Lowey
AFFILIATION: CONG
ADDRESSEE: Dale Klein
SUBJECT: Concerns recent decision by the NRC regarding the security at Indian Point as a result of a security guard sleeping on the job.....

ACTION: Signature of Chairman
DISTRIBUTION: RF, OCA to Ack,

LETTER DATE: 10/25/2007
ACKNOWLEDGED No
SPECIAL HANDLING: Comr. Correspondence

NOTES: DUE DATE-----TBD
Comm office and Staff instructions for processing
Congressional requests for documents---attached

FILE LOCATION: ADAMS

DATE DUE: **DATE SIGNED:**

EDO --G20070755

COMMITTEE ON APPROPRIATIONS

SUBCOMMITTEES:
CHAIRWOMAN,
STATE, FOREIGN OPERATIONS, AND
RELATED PROGRAMS
LABOR, HEALTH AND HUMAN SERVICES,
AND EDUCATION
HOMELAND SECURITY

SELECT INTELLIGENCE
OVERSIGHT PANEL

COMMITTEE ON HOMELAND SECURITY

SUBCOMMITTEE:
EMERGENCY COMMUNICATIONS,
PREPAREDNESS, AND RESPONSE

Nita M. Lowey
Congress of the United States
18th District, New York

October 25, 2007

Dale E. Klein
Chairman
Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Chairman Klein:

I am writing with great dismay over the recent decision by the Nuclear Regulatory Commission (NRC) that a sleeping guard at the Indian Point Energy Center constituted a "very low safety significance." This decision shows a complete disregard for the 20 million residents who would be impacted by any event at the facility.

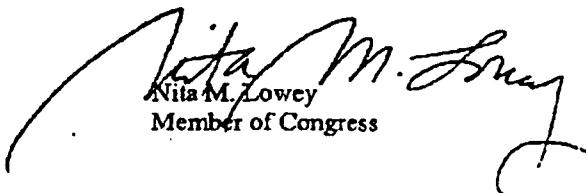
Your decision raises questions not only because a sleeping guard is obviously incapable of providing the highest level of security but also because this is not an isolated instance of NRC demonstrating lax enforcement regarding sleeping guards at nuclear plants. Earlier this year a recording documented a sleeping guard at the Peach Bottom plant in Pennsylvania. Amazingly, the NRC continues to have a cavalier attitude toward these obvious security lapses, raising concerns about your ability to properly enforce security at our nuclear power plants.

Just as troubling as your response to this incident is NRC's continued refusal to take into account violations when both determining the safety status of a facility and considering approvals for license renewals. Already this year you have fined Entergy for violating the Energy Policy Act of 2005 and taken steps to drop the safety rating of the facility from green to white following four unplanned shutdowns. Chairman Klein, surely a white rating plus a sleeping guard equals a red flag. All incidents of mismanagement must be considered when determining the appropriate course of action for protecting our nation's most populous region.

Because you have demonstrated an inability to address adequately the safety concerns of the citizens living around nuclear facilities, I am requesting all reports related to violations and investigations at Indian Point, in their classified manner, be turned over the House Homeland Security Committee and the House Transportation and Infrastructure Committee for appropriate review. Additionally, as this is not the only example of poor oversight by NRC in dealing with a sleeping guard this year, please provide these Committees with all relevant information pertaining to your investigation and handling of the Peach Bottom incident and any others related to guards sleeping on duty at nuclear facilities.

I look forward to your response.

Sincerely,


Nita M. Lowey
Member of Congress

cc: Rep. Bennie Thompson
cc: Rep. James Oberstar

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**COMMISSION OFFICE AND STAFF INSTRUCTIONS FOR PROCESSING
CONGRESSIONAL REQUESTS FOR DOCUMENTS**

Congressional Association

- ☐ Chairman, Oversight Committee
- ☐ Member, Oversight Committee
- ☒ Individual Member of Congress *Sullivan House Homeland Security Committee*
- ☐ Committee Staff

Documents to be released:

- ☒ Un-redacted Release
- ☐ Redacted Release (based on FOIA/Privacy Act procedures)
- ☐ Only publicly available documents

Provide documents with the following listing:

- ☒
 - Classified National Security Information
 - Safeguards Information
 - Proprietary Information
 - Privacy Information
 - Sensitive Investigatory Information
 - Sensitive Adjudicatory Information or Attorney-Client Information
 - Sensitive Pre-decisional Information
 - Not Publicly Available, but not of concern if publicly released
 - Publicly Available

Cover Letter

- ☒ If documents are to be provided and are not to be made public by the requester, please include a statement in the cover letter that documents are sensitive and not to be publicly released. Mark each page of sensitive documents to be provided with "Not for Public Disclosure".

Due Date for Completion of Staff Review: OCA to get clarification on documents

OCA Contact: Betsy Keeling 1691 *to be processed;*
when
who they are going
to be processed to.
and on what schedule