

Mr. Ivan Selin, Chairman
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Copies to President Clinton
Vice President Gore
Senators Specter and
Wofford
Representatives

Dear Mr. Selin:

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In response to the question of nuclear power plant security raised by the Nuclear Regulatory Commission for public comment on May 10, 1993, please include in your records the following comments by the undersigned citizens in the Philadelphia, PA, area:

- Because (1) the nuclear power program originated with the Federal Government, which produces the inherently deadly materials used for nuclear weapons, fuel and isotopes from radioactive substances used for military and civilian applications,
- (2) the facilities for handling such substances are experimental, numerous, varied in design and intricate and are handled and monitored by fallible human beings, as amply demonstrated by ongoing, inevitably unpredictable problems of accident, oversight, ignorance and error,
- (3) and because the Nuclear Regulatory Commission is already responsible not only for licensing but also for attempting to oversee the safe operation of such facilities to protect the U.S. population from dangers from within them,

it seems to us that the Nuclear Regulatory Commission and the utilities it is responsible for overseeing are incapable of responding adequately to security threats coming from outside the facilities, where protection is obviously inadequate.

Therefore we believe it is the responsibility of Congress, which legislated many of these problems into existence by promoting nuclear power production, to:

- (1) legislate the termination of nuclear power production and mandate prompt decommissioning of nuclear reactors,
- (2) devote informed attention to the problem of nuclear waste disposal and radwaste containment,
- (3) provide additional safeguards to protect the U.S. public from dangers threatening nuclear facilities from outside. Attacks on nuclear facilities or hijacking by land, sea and air have long been foreseen, threats have been made and the dangers are real and cannot be ignored.

As long as the world remains in the present state of anarchy, Congress should mandate the deployment of federal guards, suitably equipped, around every nuclear facility and waste repository to prevent, at home, as far as possible, such invasions, announced or unannounced, as have already been launched against the U.S. military in Lebanon, the Three Mile Island nuclear power plant in Pennsylvania, and the World Trade Center in New York. Please join us in conveying these comments to the President and to our legislators.

NAME	ADDRESS	CITY/STATE/ZIP
1. MARCI SMITH	P.O. Box 1046	Bryn Mawr, PA 19101
2. Viretjanthan	635 N 5 th St	Phila Pa 19123
3. Emanuel Mendelson	Hartsville, PA	19438
4. R. Allan	4174 J. J. ...	PA 19118
5. James Brown	4501 Chester #1	Phila PA 19145
6. MARK SMITH	212 ...	PA 19146
7. Dr. GISA Indenbaum	41 W 86 St	NYC NY
8. Dr. ...	5th ...	Phila PA
9. ...	4831 ...	PA
10. Dave Richards	327 Pine St.	Phila PA 19106

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- | NAME | ADDRESS | CITY/STATE/ZIP |
|----------------------|----------------------|------------------------|
| 1. Karen Gaudin | 4811 Springfield Ave | Phila. PA 19143 |
| 2. [unclear] | 4th Fulton St | Phila PA 19143 |
| 3. Barbara Zolotoraw | 127 N. 21st St | Phila PA 19103 |
| 4. [unclear] | 3411 Houbolt St | Parkersburg, WV 26104 |
| 5. Tom Perovich | 718 S. 3rd St. | Phila, PA 19147 |
| 6. Dean Chin | 156 Kebab St | Wilmington, DE 19805 |
| 7. Cheryl Lambert | 608 Heatherwood | MAR Thoreau N.S. 08056 |
| 8. [unclear] | 224 W. Main St | Newark, DE 19711 |
| 9. [unclear] | 1600 [unclear] | Phila, Pa |
| 10. [unclear] | [unclear] | [unclear] |

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2. <u>David Phillips</u>	<u>935 Manatawna Ave.</u>	<u>Phila Pa 19128</u>
3. <u>Arnold Nelenste</u>	<u>597 Summit St</u>	<u>Suckers PA 1940</u>
4. <u>David S. Shapiro</u>	<u>25 Westbrook Cr</u>	<u>Langhorne Pa 19049</u>
5. <u>Carrie C. Gianakos</u>	<u>1837 Acklison St</u>	<u>Phila PA 19146</u>
6. <u>Kathleen M. Hall</u>	<u>135 Woodpecker Rd</u>	<u>Jenkintown PA 19042</u>
7. <u>Susan Mulcahy</u>	<u>1324 McClellan St</u>	<u>Phila 19148</u>
8. <u>Theresa [unclear]</u>	<u>4932 Kingscrown Dr</u>	<u>Phila Pa 19143</u>
9. <u>Joseph M. [unclear]</u>	<u>6300 Greene St</u>	<u>Phila Pa W 303-19144</u>
10. <u>Arthur C. [unclear]</u>	<u>6306 [unclear] St</u>	<u>Phila Pa 19144</u>

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NAME	ADDRESS	CITY/STATE/ZIP
1. Louis Kessler	410 Queen St	Philadelphia PA 19147
2. Buxnell How!	913 S. 7 th St.	Phila., PA 19147
3. JC Cahill	858 N 22 nd St	Phila PA 19130
4. John Smith	280 S. 6 th St.	PHILA, PA 19147
5. Stella Whitman	235 S. Keystone Ave	Upper Merion, Pa 19082
6. John Crossman	658 Catharine St	Phila PA 19147
7. CORNELL COVINO	332 MONROE ST	PHILA PA 19147
8. MICHAEL A. TARANTO	2135 WILMOT ST.	#707 PHILA PA 19103
9. John Cothran	226 Fossil Lane	Upper Merion PA 19082
10. Melissa Abbott	151A Robinson St.	Phila, Pa 19146

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4. <u>David Simpson</u>	<u>221 Weckström Ct</u>	<u>Lansburg Pa 19040</u>
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AESH Bureau
PDR 2021
MK 5/27
(10) (9)

COMMENT RECEIVED ON 5/10/93

(215) 247-8327 MEETING ON
DBT

41 West Gravers Lane
Philadelphia, PA 19118
May 10, 1993

Mr. Ivan Selin, Chairman
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dear Mr. Selin:

We appreciate the NRC's giving citizens an opportunity to speak our minds about the terrorist problem at nuclear facilities at its meeting today. We regard it as a call for help, and the material enclosed is the best response we could make on short notice. The United States has an immense military force with ill-defined directives, and we think some of it, at least, must be used to protect the many places where plutonium and other deadly substances are being produced and stored, including civilian facilities and especially nuclear reactors. **b**

Please share our views with your colleagues at NRC and pass them on to those who delegate authority. The buck stops there.

Very truly yours,
Ruth Miner
Ruth Allan Miner

~~9306030041~~ *[Signature]*
L.P.

**NRC-USGS SCHEDULE WORKSHOP ON RESEARCH
RELATED TO LOW-LEVEL RADIOACTIVE WASTE DISPOSAL**

The Nuclear Regulatory Commission staff and the U.S. Geological Survey have scheduled the first "Joint USGS-NRC Technical Workshop on Research Related to Low-Level Radioactive Waste Disposal" for May 4-6 in Reston, Virginia. The workshop will be the first activity under a Memorandum of Understanding between the USGS and the NRC's Office of Nuclear Regulatory Research which was signed one year ago.

The workshop will address technical issues including: surface and ground-water pathway analysis, ground-water chemistry, infiltration and solute transport, vapor-phase transport of volatile radionuclides and ground-water flow and solute transport field studies.

The workshop will not address non-technical issues such as political, demographic, transportation and interstate compact matters.

Technical workshop sessions will begin at 8:00 a.m. on May 4 and conclude at 3:00 p.m. on May 6. Each will be led by a Chair and monitored by a Recorder and will be followed by a discussion period. The Chair and the Recorder, assisted by the speakers at the sessions, will prepare a summary and the summaries will be presented in round table discussions at the conclusion of the workshop. Proceedings of the workshop, including expanded abstracts of each presentation and the session summaries, will be published at a later date.

The workshop will be held in the auditorium at the U.S. Geological Survey's National Center located at 12201 Sunrise Valley Drive in Reston.

Additional information can be obtained by calling Peter Stevens at the USGS on 703/648-5721 or Thomas Nicholson at the NRC on 301/492-3856.

**NRC TO HOLD PUBLIC MEETING MAY 10
ON NUCLEAR POWER PLANT SECURITY**

The Nuclear Regulatory Commission staff will hold a public meeting May 10 in Rockville, Maryland, to obtain information from members of the public, licensees and other interested parties on certain issues regarding physical security for nuclear power plants.

The meeting is part of a Commission-directed review of the "design basis threat" for radiological sabotage at the plants in light of the recent vehicle intrusion at the Three Mile Island Nuclear Power Plant and the vehicle bomb explosion at the World Trade Center in New York City. The Commission directed the NRC staff to prepare an analysis of the adequacy of the current regulations to protect licensed nuclear facilities, and in particular threats posed by vehicle intrusion, and an assessment of the threat posed by vehicular bombs.

The meeting will be held at the Crown Plaza Holiday Inn, 1750 Rockville Pike, Rockville, from 8:30 a.m. to 5:00 p.m.

The NRC is interested in obtaining information from the public, licensees and other interested parties on the need for any change to the design basis threat, which is the basis for requirements in NRC regulations related to reactor security. Nuclear power plant licensees are required to implement a system that protects against acts of radiological sabotage, and specifically against the design basis threat for radiological sabotage as set out in the Commission's regulations.

The design basis threat is described in NRC's regulations as a hypothetical threat that was developed by the NRC based on technical studies and information received from experts on crime and terrorism in the intelligence community and Federal law enforcement agencies. The design basis threat is continually compared with actual events and formally reevaluated semiannually by the NRC.

The design basis threat for radiological sabotage is described in the regulations as a determined violent external assault, attack by stealth, or deceptive actions, of several persons with certain attributes, inside assistance, and hand-carried equipment, including suitable weapons. The design basis threat also includes an external threat of an insider who could be a facility employee in any position.

Currently, NRC-licensed commercial nuclear power reactors are not required to design a security system to specifically protect against a forcible vehicular intrusion or a vehicular bomb.

Examples of topics on which the NRC is interested in receiving information at the May 10 public meeting are:

- (1) Size of adversary, its capabilities (including weaponry) and attributes;
- (2) Use of various transport modes (e.g., land, water, air) to gain access to protected and vital areas of a plant;
- (3) Use of a vehicle as a weapon or bomb to commit radiological sabotage;
- (4) Attributes of a vehicular threat (e.g., size, speed);
- (5) Quantity of explosives; and
- (6) Use of vehicular-mounted weapons.

Persons who would like to speak at the meeting should contact Joan Higdon, 301/504-2477. Persons who would like to attend, but not speak, should also notify Ms. Higdon for space planning purposes. The public is also invited to submit written information on any aspect of the design basis threat. It should be addressed to Ms. Joan Higdon, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

NRC APPOINTS TWO REGIONAL ADMINISTRATORS

The Nuclear Regulatory Commission has appointed two officials from within the agency to head its regional offices in Illinois and California, effective June 1, 1993.

John B. Martin, currently the Regional Administrator for the Nuclear Regulatory Commission's Region V Office in California, has been named as Regional Administrator of the Region III Office in

TO THE CONGRESS OF THE UNITED STATES: A PROCLAMATION OF FEDERAL RESPONSIBILITY

WE THE PEOPLE OF THE UNITED STATES OF AMERICA, whose ideal is government by the people for the people, are aware that our environment is the shared heritage of all humankind and the natural species that inhabit the earth. We realize that our habitat is threatened by many kinds of manmade wastes that are longlasting, poisonous to life and not biodegradable, and none more so than the products and byproducts of the nuclear fission process used for weapons and energy.

WE KNOW THAT THE PRESIDENT AND CONGRESS OF THE UNITED STATES ARE RESPONSIBLE for the production and sale of radioactive substances to industry at low cost to subsidize their use in nuclear power stations; for insuring the utilities against liability in case of injuries and damages resulting from accidents from such use; for continuing commerce and transportation of radioactive substances to the known detriment of public health and safety; when there is no accepted plan for the disposal of nuclear wastes that are known to retain their radioactivity for hundreds of thousands of years; for requiring states to dispose of wastes produced and licensed by the federal government; for forcing citizens to submit to nuclear experimentation, for which the outcome is uncertain, in their own neighborhoods; for licensing nuclear reactors, including many with known design and construction defects that can cause disastrous accidents under any of countless unpredictable circumstances; for permitting nuclear facilities to operate with inadequate evacuation plans in surrounding areas close to human habitation;

AND THEREFORE we declare that we hold the President and the Congress of the United States totally accountable at all times for injuries suffered by the people as a result of any nuclear accident in the United States and for damages resulting from levels of radiation from commercial or military use which adversely affect our nation's physical and mental health, and

WE CALL UPON THE PRESIDENT AND THE CONGRESS:

To act to prevent the construction and licensing of any more nuclear fission plants in the United States,
To cease and desist from the production of nuclear materials except for carefully monitored medical use, and
To move with all possible speed to shut down and eliminate all nuclear power plants now in operation and
Aggressively to promote conservation, energy efficiency and the development of safe alternative energy sources.

And to this document we subscribe our names and addresses in token of protest and demand for such proposed actions by our elected officials.

THIS PROCLAMATION IS ENDORSED NATIONALLY BY: Earth First! CITIZENS FOR ENVIRONMENTAL RIGHTS
Friends of the Earth

THIS PROCLAMATION IS ENDORSED IN THE DELAWARE VALLEY BY: Friends Environmental Group of Philadelphia Yearly Meeting; Sierra Club, Northeast Region Nuclear Affairs Committee; Friends of Earth of the Delaware Valley; Citizens Education and Protective Association, Philadelphia; Philadelphia Council of Neighborhood Organizations; Philadelphia Jobs with Peace Campaign; Friends of Forest Park (Bucks County); Central Bucks Clean Energy Collective; Montgomery AWARE; Limerick Ecology Action; American Federation of State, County and Municipal Employees (AFSCME), District Council #47

Letter linked to suspects in bombing

The New York Times received the letter four days after the Trade Center blast. An FBI spokesman and others questioned whether it was authentic.

FROM INQUIRER WIRE SERVICES

NEW YORK — A letter claiming responsibility for the World Trade Center bombing was linked yesterday to the five suspects in custody. But an FBI spokesman and others questioned whether the letter was authentic.

The letter, from a group called the Liberation Army Fifth Battalion, angrily protested the policies of the United States, Israel and other "dictator countries" in the Middle East, and warned of future action against U.S. civilian and military targets.

The New York Times, which received the letter four days after the Feb. 26 bombing that killed six and injured more than 1,000, immediately turned it over to law enforcement officials. It was reprinted in yesterday's editions of the newspaper.

The Times said authorities confirmed that the letter was connected to at least one of the five suspects held in the case: Mohammed Salameh, 25; Nidal Ayyad, 25; Ibrahim Elgabrowni, 42; Bilal Alkalsi, 27, and Mahmud Abouhalima, 33.

"There is no question that the letter was prepared by a member of this cell," a senior investigator, who was not identified, told the newspaper. The Times report did not mention which suspect that might be.

Yesterday, Suzanne Trazoff, a spokeswoman for the New York City Police Department, confirmed to Reuters that "we've been told [by experts] that it is authentic."

But others cast doubt on whether the letter was truly linked to the suspects.

FBI spokesman Joe Valiquette said he would confirm only that the letter was received by the Times and that it was turned over to police.

"We do not know if any definite link has been made to any of the five in custody," Valiquette said.

The letter warned that more attacks would follow unless the United States ended diplomatic relations with Israel, halted aid to the Jewish state, and did not interfere in the internal affairs of Middle East nations.

The letter said that the group's army had 150 "suicidal soldiers" and that the attacks would include nuclear targets.

Robert Precht, an attorney for Salameh, the first to be charged after the explosion, said his client had no connection to the letter.

"Everything I know about Mr. Sala-

met is inconsistent with his having sent this letter," Precht said, adding that his court translator determined that the return address on the envelope was written by someone unfamiliar with Arabic.

"Salameh writes Arabic well," Precht said. "All I can say is that the other suspects are native Arabic speakers. I question the authenticity of this letter."

Mohammad T. Mehdi, head of the American-Arab Relations Committee, also said the letter was unlikely to have any ties to the suspects. He said the letter could not have been written by a Muslim fundamentalist because it does not make the appropriate references to God that are required of Islamic writing. "If it had been the suspects, they would have evoked the name of God four or five times to justify their actions," he said.

The letter, in English, said: "We are, the fifth battalion in the Liberation Army, declare our responsibility for the explosion on the mentioned building. This action was done in response for the American political, economical and military support to Israel, the state of terrorism and to the rest of the dictator countries in the region."

The letter warned: "If our demands are not met all of our functional groups in the army will continue to execute our missions against military and civilian targets in and out of the United States. This also will include some potential nuclear targets."

"For your own information, our army has more than one hundred and fifty suicidal soldiers ready to go ahead."

"The American people must know that their civilians who got killed are not better than those who are getting killed by the American weapons and support."

The letter bore the signature Abu Bakr Al-Makee, who was noted to have a rank of field marshal or major. The name is the same as the Arabic political leader who succeeded Islamic prophet Muhammad after he died more than 1,300 years ago.

The name is also similar to the Abu-Bakr mosque in Brooklyn, where several of the suspects were known to worship.

The five suspects are all Muslims from the Middle East and are believed to be followers of radical Sheik Omar Abdel-Rahman, who preaches at the Brooklyn mosque as well as one in Jersey City, N.J.

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New York Times

Deadly Bomb Was Cheap and Easily Made, Experts Say

By JOSEPH B. TREASTER

The bomb that savaged the World Trade Center, investigators and explosive experts said yesterday, apparently was put together with ordinary chemicals that are widely and cheaply available at chemical supply houses and gardening centers throughout the country.

Experts now estimate that the bomb weighed about 1,000 pounds and that the chemicals to make it were bought for a little more than \$400.

Though a young man with a degree in chemical engineering was arrested yesterday in connection with the explosion, the experts say that such a bomb could have been made by almost anyone with the help of one of scores of manuals, obtainable in bookstores and libraries, that provide step-by-step instructions.

"It's very easy to make one of these things," said Edward M. Roy, an explosives expert at the New Mexico Institute of Mining and Technology in Socorro, N.M. "I tell my students, a lot of explosives I can make in my wastebasket."

A Jumble of Chemicals

Following the trail of Mohammed A. Salameh, the first suspect arrested in the bombing, investigators discovered a jumble of chemicals, chemistry implements and detonating materials stacked in a storage locker at 69 Mallory Avenue in Jersey City that they say may also have served as the bomb laboratory.

The day before the explosion that killed five people and injured more than 1,000 others, Mr. Salameh and several other men made "numerous trips" to the locker, which Mr. Salameh had rented for \$97 a month late

A storage locker in Jersey City may have served as the bomb laboratory.

last year, the authorities say.

The suspects traveled in a yellow Ford van, the investigators say, which has been identified as the vehicle that carried the explosive into the underground garage of the World Trade Center.

A Thick Paste

The investigators and experts say that after mixing the three main chemicals — nitric and sulfuric acids and urea, a common ingredient in fertilizers — into a thick paste, the bombers are believed to have packed the material into half a dozen or so cardboard boxes.

They simply loaded the boxes loosely into the van, without using a special case or container for them, the investigators believe, and drove across the Hudson River to the trade center.

The bombers ignited their concoction, investigators believe, with several smaller nitroglycerine bombs, which themselves were touched off with the kind of blasting cap routinely used at construction and mining sites across the country. The blasting cap is the only ingredient in the deadly mix, the experts and law-enforcement officials say, that requires a license or permit for purchase, and most probably was stolen.

The investigators said they found manuals for bomb making in one of the apartments that they raided after arresting Mr. Salameh.

Neil C. Livingstone, the president of the Institute on Terrorism and Sub-National Conflict in Washington, said that as a test of how easy it was to obtain such guides to destruction, he recently wrote to a publishing house using a child's lined notepad and using a crayon to spell out the words. Three of the bomb-making manuals were promptly delivered to the address Mr. Livingstone had given, he said, no questions asked.

Though building the bomb was relatively easy, the experts say, it was not by any means free of danger.

The bulkiest part of the bomb, they say, was extremely stable and could only have been touched off with the tremendous kick like that provided by nitroglycerine, which was made by blending some of the chemicals.

Making the nitroglycerine was the trickiest part of the process. As the chemicals are mixed to form this compound, said Dr. Per-Anders Persson, the director of the center of explosives research at the New Mexico Institute of Mining and Technology, they get hot and may explode. Often, he said, beakers are packed in dry ice to keep the chemicals at a safe temperature. Another hazard, he said, is that the chemicals can severely burn the skin.

A Fearful Thought

Nitroglycerine is extremely volatile, the experts said. They shuddered at the thought of driving even a few blocks in a van loaded with bottles of it alongside the cartons that held the main bomb material. It is not clear at what point all the bomb ingredients

were combined in the van. The nitroglycerine alone, however, could have exploded had the van hit a bump or had there been a sharp change in temperature, the experts say.

The bombers also risked blowing themselves up, the experts said, when they hooked up the wires connecting the bomb's trigger with the blasting cap.

Dr. Robert H. Kupperman, a senior adviser for science and technology at the Center for Strategic and International Studies at Georgetown University, said that perhaps the greatest expertise in the construction of the bomb came in rigging the chain of triggering explosives so that they all tore into the bulk of the bomb for maximum effect, as investigators at the World Trade Center say appears to have happened. So far, in more than a week of searching, they have not reported finding a single grain of the main explosive material.

William Lazor, a senior technical service consultant at the Du Pont Company in Wilmington, Del., said that sulfuric acid is the most widely sold chemical in the United States and is used in the manufacture of everything from battery acid to detergents and shampoos.

Dale Ladysh, a technical service consultant at Du Pont, said that nitric acid is only slightly behind in popularity. It is used, he said, in the electronics industry and for making stainless steel and many industrial dyes and pigmentations.

Len Glass, the owner of Morre-Tec Industries, a chemical supply company in Elizabeth, N.J., said both acids are commonly used metal cleaners. Contractors, he said, often use them to make metal roofs and fixtures look new.

faxed
5/17/93

Attention: Joan Higdon 301 5041 - 2474

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From: Scott Bitzline 1 Page

Please add these thoughts to the record of the public workshop for the

Design Basis Threat.

COMMENT RECEIVED ON 5/10/93
MEETING RE: DBT

Regarding the question of "where will it stop". "It" meaning the requests for increased physical protection and security regulations. The "public" I have spoken with want to know "where does it start".

There is a tremendous public relations problem for the nuclear industry when GPU President Philip Clark claims security was never breached. Or, the statement that the TMI intruder does not fit the definition of the design basis threat. Shall we conclude that the DBT was not tested by the intruder?

This morning I spoke with a newspaper reporter who asked GPU about the problem of guards responding to vital doors without weapons. A GPU spokesman told him that he could be sure that an intruder or intruders who met the description of the DBT could be handled by their security. When the reporter pressed the spokesman on repelling several well-trained and well-armed attackers when weapons are unavailable as in the actual response on February 7, 1993, he was told that security details are a secret.

I believe the NRC is guilty of studying an issue so closely that common sense is lost. This reminds me of the Rodgers Commission investigation of the "Challenger" disaster. Engineers gave the smallest details and specifications of many parts and systems day after day at the hearing. Finally a Nobel Prize winning physicist took a small sample of the "O Ring" material and placed it in a C-clamp he bought at a hardware store on the way to the hearing. He placed this into his glass of ice water for several minutes while he spoke. When he pulled it out of the glass, the rubber fell out of the clamp because it had contracted. Thus, he proved that all of the smallest details were not needed for understanding real life occurrences.

Pierce Nye is the ice water that should wake up the NRC.

Security did not start at the North Gate. It didn't start at the protected area fence. It didn't even start at the turbine building. In fact a search for the intruder didn't even start for 90 minutes; so, just where does security start?

Before the NRC concerns itself too greatly with the end of security improvements, the NRC must consider where does security start.

Scott D. Bitzline

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COMMENT RECEIVED ON 5-10-93 MEETING ON PBT,

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5/27/93



**Wisconsin
Electric
POWER COMPANY**

231 W Michigan PO Box 2046 Milwaukee WI 53201-2046

Post-it brand fax transmittal memo 7671		# of pages	4
To	JOAN HIGDON		
From	DOUG JOHNSON		
Co.	WISCONSIN Electric		
Dept.	Phone # 414 221-2084		
Fax #	Fax #		

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VPNPD-93-109
NRC-93-068

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May 24, 1993

Mr. Robert F. Burnett, Director
Division of Fuel Cycle Safety and Safeguards
Office of Nuclear Material Safety and Safeguards
NUCLEAR REGULATORY COMMISSION
c/o Ms. Joan Higdon
Mail Stop 4E4\WFN, US NRC
Washington, D.C. 20555

Dear Mr. Burnett:

DESIGN BASIS THREAT AND VEHICULAR INTRUSION

Wisconsin Electric Power Company, at the request of the Nuclear Regulatory Commission, is providing comments concerning the reevaluation of the present design basis threat for radiological sabotage. These comments are also based on information Wisconsin Electric Power Company received at the public meeting conducted by the Nuclear Regulatory Commission on May 10, 1993, in Rockville, Maryland.

At the May 10, 1993, public meeting, NRC staff summarized a proposed action plan for the reevaluation of the design basis threat. The NRC staff had initiated a review of the design basis threat in late 1991. In 1992, NUMARC requested that the NRC reassess and modify the present design basis threat to consider revisions which will bring the regulation into line with the current security environment, which has changed significantly since the design basis threat concept was initially promulgated in 1977. NUMARC recommended that the design basis threat be reassessed to correctly relate to the current radiological sabotage threat and encouraged the NRC to avail itself of the assessment by federal intelligence gathering agencies of the terrorism potential at U.S. commercial nuclear power plants. The industry also recommended that certain administrative requirements which are considered to be of no measurable benefit to safety be considered for removal from design basis threat regulations. Wisconsin Electric continues to support a reassessment of these design basis threat issues.

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Mr. Robert F. Burnett
May 24, 1993
Page 2

In light of the recent unauthorized vehicle entry at the Three Mile Island Nuclear Station and the bombing of the World Trade Center in New York City, the NRC has expanded its review of the design basis threat to include a reassessment of the vehicular intrusion threat. As summarized in SECY-93-102, the NRC staff has prepared an updated list of four options for bolstering security which were presented to the Commission for consideration. The NRC's assessment of the vehicular intrusion threat should consider and be guided by intelligence assessments of trends in domestic terrorism, nuclear plant security historical experience, and the prudent utilization of resources. b

Wisconsin Electric Power Company believes that current extensive security programs associated with the present design basis threat are more than sufficient to ensure the protection of the health and safety of our employees and the public against any reasonable threat. In addition to plant security, the broader "defense-in-depth" approach to safety employed by the nuclear power industry would make it very difficult for a saboteur to damage plant systems to the point where plant staff would be unable to safely shut down the plant and prevent and mitigate radiological releases. c

There is no evidence which would indicate that the bombing experienced at the World Trade Center will be repeated and it appears that the responsible parties have been identified and/or arrested. The trespassing incident at Three Mile Island Power Station is not related in any form with the World Trade Center bombing threat. The incident at Three Mile Island was simply an act of trespass by a psychologically impaired individual and there is no indication that terrorism was a motive. d

Wisconsin Electric believes it would be imprudent to react to these dissimilar incidents by requiring licensees to invest hundreds of thousands of dollars in defense of a land vehicle bomb or terrorist incident. Evidence would suggest that there is no known credible threat to use a vehicle as an aid in committing radiological sabotage at a domestic power reactor. Available threat-related intelligence information, the history of domestic terrorism, and past nuclear industry security experience suggests that the threat to nuclear facilities is low. e

Mr. Harry B. Brandon III, Deputy Assistant Director of the Federal Bureau of Investigation, Intelligent Division, in testimony before Senator Lieberman, stated "...we do not have reason to believe that (World Trade Center bombing) is the forerunner of a wave of terrorism inside the United States." "...Between 1982 and 1992 terrorism incidents within the United States, with few exceptions, have shown a steady decline."

Mr. Robert F. Burnett
May 24, 1993
Page 3

"...Our constant, continuous analysis of all indicators worldwide does not show the beginning of such an initiative or wave of terrorism We have no current indications of targeting or planning of acts of terrorism by any groups or individuals." The FBI, has apparently concluded that there is no increased threat to the nuclear power industry. e

At the May 10, 1993, public meeting hosted by the NRC in Rockville, Maryland, and as delineated in SECY-93-102, the NRC offered four possible options which Nuclear Material Safety and Safeguards may recommend as a modification to the present design basis threat. The four options included:

1. No change.
2. Erect gates or concrete barriers on existing roadways at some distance on either side of the vehicle control points leading into protected areas.
3. Enhance protected area perimeter protection to prevent vehicle intrusions.
4. Enhance security so that a bomb-laden vehicle can be kept from entering the protected area, and configure vehicle barriers so that an explosion would not hinder safe plant shutdown.

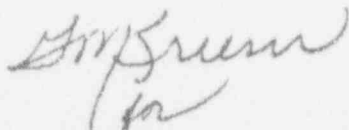
The Federal Bureau of Investigation believes that the nuclear generating power plants are hardened facilities which provide an excellent deterrence to potential terrorist attack. Further hardening of nuclear power plants, against all potential terrorist threats would appear not be prudent or cost effective. Data from the Federal Bureau of Investigation, the Department of Energy, and the Office of Technology Assessment, indicates that in the last 10 years there has been a significant decline in terrorism. The tragic incident at the World Trade Center is not sufficient enough to establish a trend, and there is no correlation which can be drawn that would indicate that the nuclear power plants are in any jeopardy. f

The lack of a bona fide threat and the coupling of the two unrelated incidents at Three Mile Island and the World Trade Center, would seem to not justify additional requirements for bolstering security and modification of the present design basis threat. Therefore, Wisconsin Electric Power Company currently supports Option 1, delineated in SECY-93-102, recommends no change in the present design basis threat to address the vehicular intrusion threat. g

Mr. Robert F. Burnett
May 24, 1993
Page 4

Wisconsin Electric Power Company encourages the NRC to ensure that the comprehensive reevaluation of the vehicular intrusion threat include involvement of representatives from various law enforcement and governmental agencies tasked with monitoring and assessing terrorism and representatives from the industry. The NRC should bring to bear our cumulative experience and knowledge regarding terrorist activities and threat levels in order to make an appropriate decision from a public policy standpoint. If it is determined that any action is required, this conclusion must represent a prudent expenditure of resources commensurate with the determined risk associated with the vehicular intrusion threat. h

Sincerely,



Bob Link
Vice President
Nuclear Power

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cc: NRC Resident Inspector
NRC Regional Administrator, Region III