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United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

WASHINGTON, DC 20510-8175

PETER L. SCHER, STAFF DIRECTOR
STEVEN J. SHIMBERG, MINORITY STAFF DIRECTOR AND CHIEF COUNSEL

March 16, 1994

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

Dear Chairman Selin:

We are writing to urge the Nuclear Regulatory Commission (NRC) to proceed with the adoption of a rule to require that nuclear power plants be protected against acts of terrorism or sabotage that involve the use of vehicles for malevolent purposes.

The current design basis threat for a nuclear power plant was adopted in the 1970's and does not contemplate the use of a vehicle to carry personnel or explosives into a nuclear power plant. Current NRC regulations, therefore, do not require nuclear power plant security systems to be able to defend against terrorists who are attempting to gain entry or carry firearms into the plant through the use of cars, vans, or trucks; further, they do not require that plant systems be able to withstand an attack by a truck or car bomb.

The current design basis threat is no longer adequate to meet the potential threat that has developed in the years since the NRC first addressed this issue. In the aftermath of the truck bombing of the Marine barracks in Beirut, the truck bombing of the World Trade Center, and the intrusion into the turbine building of the Three Mile Island nuclear plant by a deranged individual driving a station wagon, the design basis threat should be upgraded to include these types of vehicular assaults.

As you will recall, the Subcommittee on Clean Air and Nuclear Regulation conducted a hearing on this issue last March. At this hearing, concern was expressed regarding the current regulations, and you reported that the NRC would re-evaluate the adequacy of the current design basis.

Following the re-evaluation, the NRC issued a proposed rule to upgrade the NRC's regulations to require that nuclear power plants be able to defend against the malevolent use of vehicles. If adopted, this rule would address many of the deficiencies in the current design basis threat.

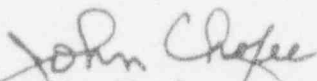
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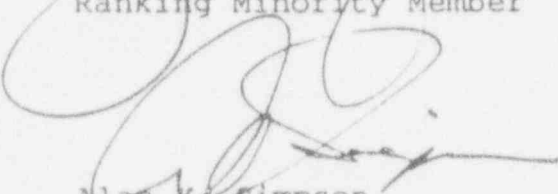
Some commenters on the proposed rule have suggested that the NRC conduct a probabilistic risk assessment to justify the issuance of this regulation. However, as the NRC testified to the subcommittee last March, "This is not an area one can say 'What does the intelligence indicate?' and then determine the threat against which we protect. Intelligence in this area is one part hard data and one part judgment." Undertaking a probabilistic risk assessment at this point would turn a matter of common sense into a complicated mathematical exercise. Clearly, there is a big gap in the current regulations, and this gap needs to be filled.


In the past year, the NRC has made considerable progress towards strengthening the protections at nuclear power plants against terrorism or sabotage. We urge the NRC to continue in this positive direction by expeditiously adopting a final rule to upgrade the design basis threat at nuclear power plants to include protection against the malevolent use of vehicles.


Thank you very much for your consideration of these views.

Sincerely,


John H. Chafee
Ranking Minority Member


Alan K. Simpson
Ranking Minority Member
Subcommittee on Clean Air
and Nuclear Regulation


Max Baucus
Chairman


Joseph I. Lieberman
Chairman
Subcommittee on Clean Air
and Nuclear Regulation