

San Luis Obispo



Nuclear Security Concerns

Morgan Rafferty, Board of Directors

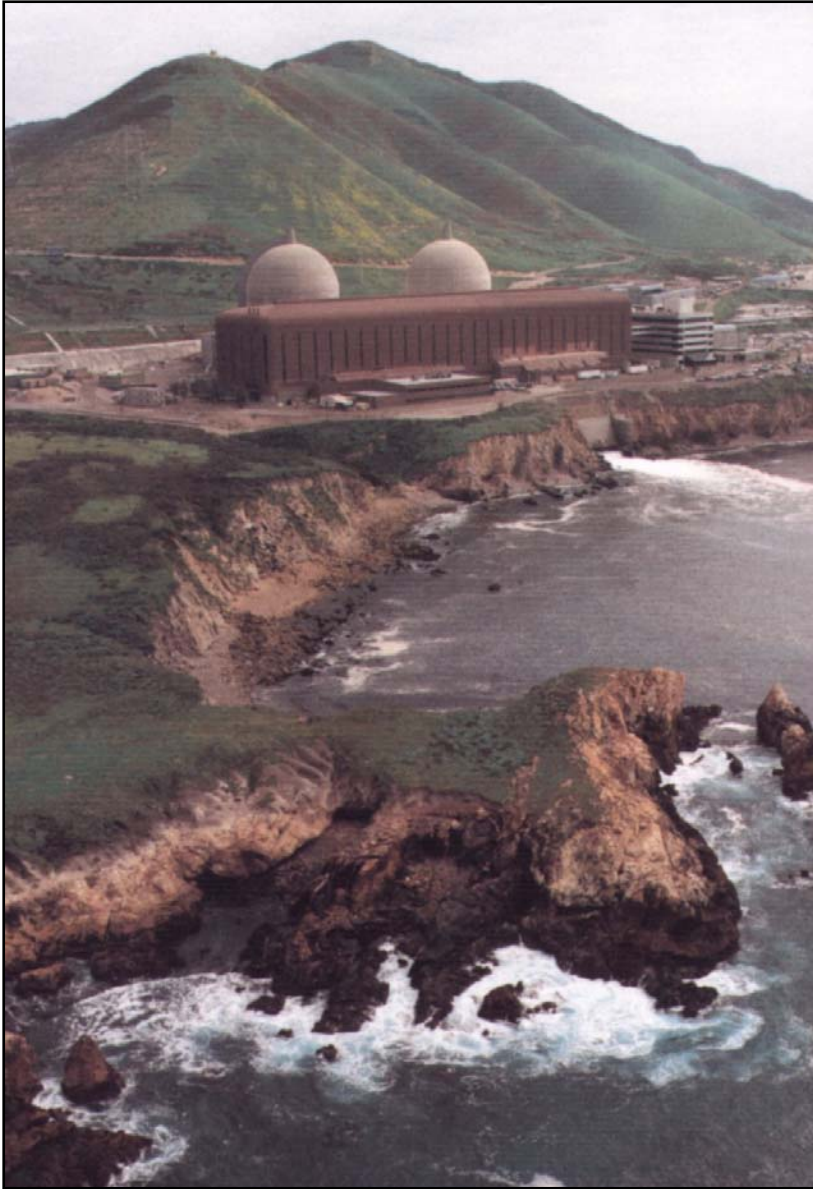
P.O. Box 164

Pismo Beach, CA 93448

(805) 474-4220

mrafferty805@charter.net

www.mothersforpeace.org



Diablo Canyon Nuclear Power Plant as pictured on page 74 of the National Strategy Document

Diablo Canyon:

A Vulnerable Target of Terrorism

- is located on an exposed and unprotected portion of the California coast
- is susceptible to airborne and waterborne assaults

All Nuclear Facilities:

- are acknowledged by the federal government to be particularly attractive targets because of the widespread health and economic damage caused by a **successful attack** (FBI Testimony before the Senate Committee on Intelligence (February 16, 2005))
- are identified by the President as “key assets” – “most critical in terms of national-level public safety, governance, economic and national security, and public confidence consequences”

(National Strategy for the Physical Protection of Critical Infrastructures and Key Assets at vii, xii, February 2003)

The NRC Revised DBT Fails to Address Credible Terrorist Threats

Despite specific directions from Congress, it does not address attack by:

- **air**
- **water on dry storage facilities**
- **multiple teams of attackers**

(70 Fed. Reg. 67,380 November 7, 2005)

The proposed DBT is so weak as to bear no apparent relation to the level of sophistication, manpower, or armed strength that was demonstrated in the September 11 attacks.



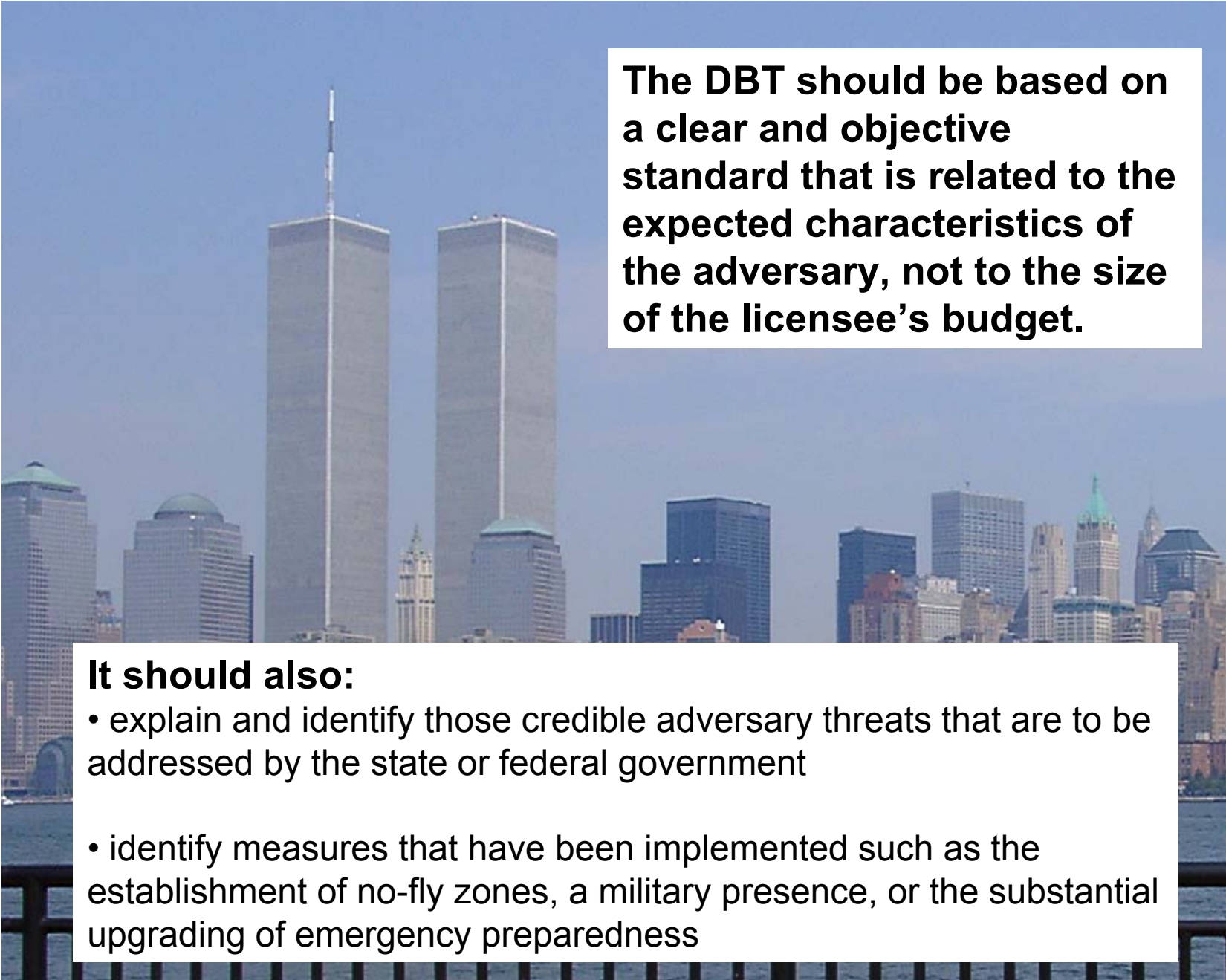
The NRC Revised DBT Lacks a Clear Distinction Between Government and Licensee Responsibilities

The proposed rule states that the DBT is based on “a determination as to the attacks against which a private security force could be expected to defend.”

(70 Fed. Reg. at 67,385)

This language:

- is too unclear a basis for determining the limits of the licensees’ responsibilities
- suggests unacceptable cost considerations
- does not provide objective criteria for distinguishing between licensee and government responsibilities for security



The DBT should be based on a clear and objective standard that is related to the expected characteristics of the adversary, not to the size of the licensee's budget.

It should also:

- explain and identify those credible adversary threats that are to be addressed by the state or federal government
- identify measures that have been implemented such as the establishment of no-fly zones, a military presence, or the substantial upgrading of emergency preparedness

Secrecy and Complicity

The NRC apparently conducted a secret rulemaking by sharing the content of the proposed DBT with an exclusive group of parties – including the nuclear industry. (70 Fed. Reg. 67,381)



This secret rulemaking violates basic principles of fairness in administrative decision-making.

Public confidence is difficult to maintain when the public is aware that industry representatives are full participants in the rulemaking process and that the public is purposely excluded.

The NRC has Failed to Require Protective Design Changes



Situation at Diablo Canyon:

- 2 spent fuel pools filled at high density
- potential for a severe fire and catastrophic radiological release if successfully attacked and partially drained

Feasible Design Change in the Fuel Pools:

- return fuel pools to low-density by transferring spent fuel assemblies to dry storage

Feasible Design Changes for the Dry Storage Facility:

- protect the casks with earthen berms
- harden the casks
- scatter the casks



In summary: It's been over four years since the attacks on September 11. The public has waited in vain for a significant response from our government.

- The NRC Proposed DBT fails to address specific concerns raised by Congress (airborne, waterborne attack on dry storage facilities, and multiple team attacks).
- The NRC conducted a secret rulemaking (allowing undue influence from the nuclear industry).
- The NRC has failed to require design improvements to Diablo Canyon or other nuclear facilities (i.e. hardening of the spent fuel storage facilities).
- No military presence or no-fly zone has been established.

