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U.S. PUBLIC INTEREST RESEARCH GROUP

## Nuclear security requires more than just strong fences. What is Congress waiting for?

April 8, 2003

Dear Environment and Public Works Committee Member:

As national public interest, environmental and public health organizations concerned with the problem of security at U.S. nuclear power plants, we urge you to **oppose reauthorization of the Price-Anderson Act and support Sen. Harry Reid's position on nuclear security** when the Environment and Public Works Committee considers S.156.

As you know, the tragic events of September 11<sup>th</sup>, 2001 have raised serious concerns about safety and security at commercial nuclear facilities across the country, which were not designed to withstand this type of attack. Just last month, the Washington Times reported that the Palo Verde nuclear plant in Arizona was the target of a terrorist plot. Earlier this year, an independent review of the evacuation plan around New York's Indian Point reactors, commissioned by Governor George Pataki, concluded that the public would be inadequately protected in the event of a terrorist attack. This has prompted worries that emergency planning at other nuclear facilities may be similarly deficient, leaving communities across the country vulnerable.

In view of these pressing concerns, we are alarmed that the Committee would extend unfair Price-Anderson insurance subsidies to proposed new reactors. The outdated Price-Anderson scheme affords inadequate compensation to the public in the event of a serious accident or attack, leaving nuclear operators unaccountable and taxpayers potentially on the hook. To make matters worse, S.156 does nothing to address security vulnerabilities at nuclear power plants. By contrast, House energy legislation reauthorizing Price-Anderson includes several important security provisions.

**Do not back away from the Committee's previous stance on nuclear security**, approved last summer as S.1746. We urge you to support Sen. Reid's position on nuclear security, which contains effective language to ensure that:

- An **inter-agency task force** undertake a **comprehensive assessment** of security and emergency response requirements for sensitive nuclear facilities. The NRC must implement recommendations within a set timeframe.
- Sensitive nuclear facilities attain an **upgraded "design basis threat" standard** within a set timeframe. Facilities must be able to withstand threats including those comparable to September 11, 2001 as well as all other reasonably conceivable threats. The upgraded

regulations must include requirements for irradiated nuclear fuel storage facilities and decommissioning plants, as well as operating nuclear power plants.

- The Nuclear Regulatory Commission (NRC) reinstate a **rigorous program of force-on-force testing** to assess on an ongoing basis the ability of sensitive nuclear facilities to defend against threats. Performance criteria are established and corrective actions stipulated for facilities that repeatedly fail to meet these criteria.
- The NRC **upgrade emergency response requirements** for sensitive nuclear facilities, and on an ongoing basis review emergency plans at each facility to ensure compliance. Regular emergency response exercises will test preparedness and the effectiveness of emergency plans.
- **Federal Security Coordinators** are appointed to oversee and coordinate security at each sensitive nuclear facility.
- An inter-agency task force review the security of sensitive radioactive material and make recommendations on how to better safeguard against the theft, loss and diversion of radioactive material that could be used as **“dirty bombs.”**
- Facility and contractor employees are accorded full **whistleblower protections**.
- The establishment of nuclear security standards and procedures allows for the direct **involvement of stakeholders through rulemakings**, to the extent permitted by national security considerations.
- **Information gathering and reporting is conducted in a transparent manner**, to the extent permitted by national security considerations, in order to promote accountability.

Recent events have clearly established the need for decisive Congressional action to reduce terrorist threats to public health and safety at commercial nuclear facilities. Again, we strongly urge you to support Sen. Reid’s position and prioritize enactment of effective nuclear security legislation. We would be happy to discuss this with you further. Please contact: Lisa Gue (Public Citizen) 454-5130 or Dr. Edwin Lyman (NCI) 822-6594.

Sincerely,

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