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Environment

Congress Urged to Safeguard Nuclear Reactors Against Terrorism

WASHINGTON, DC, December 7, 2001 (ENS) - A House subcommittee reviewing security issues at the America's nuclear facilities was warned Wednesday that there are "unresolved vulnerabilities."

Legislation has been introduced which would federalize security at nuclear power generators and fuel processing plants by directing the Nuclear Regulatory Commission to establish a security force for "sensitive" facilities, including the nation's 103 operating nuclear power plants.

The Commission "strongly opposes" the enactment of such legislation, but the head of a concerned citizens' group says immediate anti-aircraft protection at each reactor site is needed to deal with possible attacks by aircraft in terrorist hands.

"Put simply," said Paul Leventhal, founding president of the Nuclear Control Institute, "the nation's nuclear power reactors are vulnerable to attack by terrorists, and the Nuclear Regulatory Commission and other government entities have failed to move decisively to impose the further security measures that are needed to prevent a successful attack and avert catastrophic radiological consequences."

Missouri's Callaway Nuclear Plant operated by the Union Electric Company
(Photos courtesy [NRC](#))

The Nuclear Control Institute, a non-profit organization based in Washington and concerned with security against nuclear proliferation and nuclear terrorism, Leventhal was invited by the House Committee on Energy and Commerce' Subcommittee on Oversight and Investigations to give testimony concerning the security of these power plants.

He spoke also on behalf of the Los Angeles based nuclear policy organization, the Committee to Bridge the Gap. For 17 years, the two organizations have been warning the Nuclear Regulatory Commission (NRC) "to act responsibly and to protect these facilities adequately," Leventhal said. "We submitted petitions for rulemaking, met with Commissioners and their staffs, submitted scholarly studies. With one partial exception, a truck bomb rule of insufficient effectiveness, our efforts have been repeatedly frustrated."

But now the time has come to act, Leventhal urged. "The horrendous attacks of September 11 have now made NRC foot dragging intolerable. The new threat should now be evident to all, and the country can afford to wait no longer," he said. "The vulnerabilities at these plants can and must be closed, now."

He said the American people "have a right to know the dangers and to demand the prompt corrective actions that we propose to protect nuclear power plants from terrorist attacks and the unthinkable consequences that could follow."

"It is prudent to assume that the terrorist adversary knows that the plants are vulnerable," Leventhal testified. He cited recent trial testimony confirming that Osama bin Laden's terrorist training camps "were offering instruction in 'urban warfare' against 'enemies' installations' including power plants."

But under current regulations reactor operators are not required to protect against attacks by an "enemy of the United States," be it a nation or a person, Leventhal pointed out. "In the absence of the federal government taking responsibility for security of these nuclear sites against attacks by 'enemies,' it is clear that protection of the public in this regard is falling through the cracks."

Twenty-five years ago, Congress split the Atomic Energy Commission into two separate agencies in order to end the inherent conflict between promotion and regulation of nuclear energy, Leventhal explained. As a member of the staff of the Senate Government Operations Committee, he was "intimately involved" in preparing the law that created the Nuclear Regulatory Committee and the present day Department of Energy.

Leventhal says the two sides - promotion and regulation of nuclear power - have once again become too close and the regulatory side is too close to the nuclear industry for effective regulation.

The subcommittee heard from NRC Chairman Richard Meserve that since September 11 the commission has maintained a round the clock operation of NRC's Emergency Operations Center. A safeguards team receives "a substantial and steady flow of information from the intelligence community, law enforcement, and licensees that requires prompt evaluation to determine whether to advise licensees about any changes in the threat environment in general or for a particular plant."

Meserve gave the lawmakers an example of threat readiness. "The NRC received information in the early evening in mid-October about an impending air attack on the Three Mile Island nuclear power plant that could not be discounted by the law enforcement and intelligence communities," the chairman said.

"This resulted in immediate notification of the licensee for Three Mile Island, the establishment of a no-fly zone by the Federal Aviation Administration, and the deployment of military assets. Although by early the next morning a determination was made that this threat was not credible, NRC, other federal agencies, and the licensee were obliged to act quickly because no one was able initially to discredit the threat," he said.

Ft. Calhoun nuclear power plant in Nebraska

That level of readiness is not enough for Leventhal who called for anti-aircraft protection at each reactor site to deal with possible attacks by aircraft. "We note the French government has deployed anti-aircraft measures at sensitive nuclear facilities in France. Why has this not been done here, when we are the country that was attacked on September 11?" he asked the subcommittee.

Since the terrorist attacks of September 11 on the World Trade Center and the Pentagon, it is clear that a greater threat exists than provided for in the current Design Basis Threat regulations for nuclear power plants.

"The new 'design basis threat,' made manifest by September 11," said Leventhal, "is at least 19 sophisticated and suicidal terrorists attacking from at least four different directions. Mr. Chairman, we ask that this Subcommittee inquire of the Chairman of the Nuclear Regulatory Commission whether any nuclear power plant today is capable of repelling an attack of that magnitude. If the answer is no, as we suspect it will be, he should be asked why he has not promptly ordered an immediately effective upgrade of the NRC security rules to meet such a threat, and why, in the meantime, he has not advised the President that military protection of these plants is needed to deter and defeat such an attack."

Each the power plants should be protected with at least 30 National Guard personnel to provide a visible show of force and a credible deterrent to attack, Leventhal said. He called for a thorough re-evaluation of all nuclear power plant personnel, including the "hundreds of outside contractors who are onsite during refueling outages and for routine maintenance," for potential security risks and establish "an immediate strict two-person rule to reduce risks of insider attack."

The NRC's Meserve has somewhat different proposals for Congressional action. He says federalizing the security at nuclear facilities could cost over \$1 billion a year, and is not needed. In the Commission's view, "the qualified, trained, and tightly regulated private guard forces at nuclear plants should not be replaced by a new federal security force."

The commission is asking Congress to make federal prohibitions on sabotage apply to the operation and construction of nuclear reactors, enrichment and fuel fabrication facilities.

It should be a federal crime to bring unauthorized weapons and explosives into NRC licensed facilities, Meserve said. Some state laws currently preclude private guard forces at facilities regulated by the Nuclear Regulatory Commission from utilizing a wide range of weapons, so the commission is asking Congress to authorize NRC guards to carry and use firearms.

Ralph Beedle, chief nuclear officer at the Nuclear Energy Institute, a nuclear industry association, told the subcommittee that the nation's nuclear plants are secure right now. "Nuclear plants are the most secure commercial facilities in the United States, even exceeding the protection found at most military installations," he said. "Reactor fuel is protected by a combination of 12 feet of concrete and steel between the exterior of the building and the fuel itself."

"Nuclear power plants assumed the highest level of readiness immediately after the events of September 11," Beedle assured the subcommittee. "Our plants continue to maintain the highest level of

