Congress of the United States
Washington, DC 20515

June 1, 2005

The Honorable Nils J. Diaz
Chairman
Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, MD, 20852

Dear Chairman Diaz:

We are writing again regarding security at the Seabrook nuclear power plant. A document numbered "CR 05-06261" that details the results of a Root Cause Evaluation performed at the reactor by the NRC was obtained by Rep. Markey's office (and cannot be released so as to protect the identity of the Seabrook employee who made it available), and indicates that the security issues at the reactor site extend beyond the perimeter intrusion detection system malfunction we wrote you about last week.

As you know, we wrote you last week regarding allegations that the perimeter intrusion detection system at the Seabrook facility was inoperable, and that Seabrook officials are reportedly using reactor security guard forces to compensate for the inoperable security system, and have violated NRC regulations by forcing these security guards to work excessive amounts of overtime.

We now have in our possession a document that both verifies the problems with this security system that were discovered by the NRC, and also indicates that there were numerous other problems discovered as well. For example, it appears as though there were significant problems with the systems used to record video of the reactor perimeter, such as inadequate camera coverage and fiber cable failures that resulted in no video signals being sent. Evidently, neither the security fence nor the camera system was found to be operable, meaning therefore that reactor officials would have no way of knowing whether an attacker was trying to penetrate the facility until the attacker was encountered by a member of the security guard forces.

We clearly remain extremely concerned that security at the Seabrook nuclear power plant has been compromised, and ask for your assistance in responding to the following questions:

1) The document obtained by our offices indicates that "security compensatory measures are in place" to address the numerous zone failures and other problems that were discovered with the perimeter intrusion detection system. Please fully and specifically describe all such measures.
2) What is the process for putting in place security compensatory measures in situations where a licensee has been found to be in violation of NRC regulations or orders regarding nuclear power plant security? Are such measures proposed by the licensee, the NRC staff, or the Commission? Are such compensatory measures

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reviewed and approved by the Commission? What guidelines or criteria are used to ensure that such measures ensure that the nuclear power plant is fully secure from acts of terrorism or sabotage?

3) The document obtained by our offices indicates that the perimeter intrusion detection system was found to be "contrary to the requirements of NRC Regulatory Guide 5.44, Rev. 3". Please describe exactly which requirements were violated.
4) The document obtained by our offices indicates that there were also numerous problems identified with the Video Capture and camera systems at the reactor, such as intermittent freezing, areas of inadequate camera coverage, and multiple fiber cable failures of the security camera system which caused a loss of perimeter video signals. In some cases, the document states that compensatory measures were in place. Please list each video or camera-related problem identified by the NRC, as well as what penalty will be imposed by the NRC on the licensee, and the compensatory measure(s) that have been implemented for each problem. Has the NRC approved each of these compensatory measures, and if so, on what basis? If no compensatory measure was implemented for a particular problem, why not?
5) The document obtained by our offices indicates that security boxes and equipment was found to be "in danger of physical damage during snow removal". What has been done to correct this problem?
6) The document obtained by our offices indicates that despite NRC Order EA-03-086 that requires certain conditions to be analyzed as part of the Design Basis Threat revisions, the operators of the Seabrook nuclear power plant have not conducted the required analysis. When was this analysis supposed to have been completed? What is the penalty that will be imposed on the licensee for its failure to comply with the Commission's Order?
7) The document obtained by our offices indicates that "some information within the newly issued Physical Security Plan requires clarification to ensure consistence with the Seabrook Design." Please indicate what precisely this entails, and when it will be complete.
8) The document obtained by our offices indicates that in 2 locations, "a degradation in a Protected Area was found during a Nuclear Oversight walkdown." Please describe these degradations, as well as any compensatory measures taken to remedy them, and the NRC's views regarding the adequacy of these compensatory measures.

Thank you very much for your consideration of this matter. Please provide your response no later than Friday July 8, 2005. If you have questions or concerns, please have your staff contact Michal Freedhoff of Rep. Markey's staff at 202-225-2836 or Tracy Coogan of Rep. Tierney's staff at 202-225-8020.

Sincerely,

Edward J. Markey

John F. Tierney