

For Immediate Release

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Three Mile Island Alert Rejects NRC's Proposed Security Rules as Defective

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Three Mile Island Alert is denouncing the Nuclear Regulatory Commission staff for its recommendation to its four Commissioners to vote against entrance guards at the nation's nuclear plants. There has never been a requirement for guards posted at the entrances. After nearly seven years of stalling, and the objectionable repeated mis-handling of TMIA's petition for rulemaking to require entrance guards, the staff is advising against such a rule. The NRC explained that they did not want to be overly prescriptive.

"This regulator doesn't have the courage to stand up to the industry and issue a directive," said Scott Portzline, security consultant to TMI Alert. "The NRC's soft regulatory style of allowing licensees to analyze security needs is too lenient for national security standards. Although there are some very worthy improvements, the NRC is deliberately rewording the proposed security regulations so that licensees have plenty of 'wiggle room' when implementing its self-designed security plan. The NRC has watered down the proposed rule even further. We should not have to tell our neighbors to lock their front door."

(During the 9-11 attacks TMI was not able to lock down its north entrance because there was no electricity to power shut the vehicle barrier.)

Entrance guards provide a visual deterrent and send a message of multiple defense layers. In previous years, the industry's most powerful lobbying group boasted of the value of a visual deterrence. Furthermore, entrance guards are able to provide the front line for observation of suspicious activity near an entrance. Humans provide a level of observation which doesn't now exist, even with surveillance cameras in place. We know that numerous terrorist attacks have been preceded by surveillance of the target by the attackers.

However, the NRC has reworded the proposed rule so that early detection of intruders by security officers is not part of their duties. Without early detection, intruders have certain advantages which they can exploit. A requirement for entrance guards would be consistent with the NRC's strategy of "defense in depth."

TMI Alert has argued that the bridges at TMI could be targeted to prevent offsite responders from performing their duties during an emergency or attack. The NRC staff firmly disagrees and states that bridges should not be part of the official “target set.”

Eric Epstein, TMIA Chariman said, “If the NRC adhered to its own rules and objectives, Three Mile Island would have to protect its bridges. We cannot concede the entrances and bridges to terrorists. I’m looking for the federal or state government to intervene.”

Portzline added, “I’ve watched my simple request for entrance guards evaporate into thin air. It literally disappeared when not a word of it was published last year in a 200 plus page combined rule. Then the NRC’s website was hacked and the information disappeared for several weeks. When it was restored, my petition was placed on the “completed” list. The NRC’s handling of its business is deplorable. I was not informed of the decision by the NRC, but by the Union of Concerned Scientists. I was told by the NRC’s chief regulatory analyst that they could not find my phone number or e-mail address.”

One of the Commissioner’s personal staff pledged to use the bungled handling of TMI Alert’s proposed rule to improve relations with rulemaking stakeholders. But that plan was also mishandled when the staff failed to invite Portzline to the meeting a few weeks ago.

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The NRC staff recommendation can be found at <http://www.nrc.gov/reading-rm/doc-collections/commission/secys/2008/secy2008-0099/2008-0099scyl.pdf>
(see pages 17-19, also 51-52, also 43)

TMI Alert’s comments to the NRC on the proposed regulations can be found at <http://www.regulations.gov/fdmspublic/component/main?main=DocumentDetail&o=09000064803c5e97>

The original TMI Alert petition filed on 9/12/01 can be found at <http://www.regulations.gov/fdmspublic/component/main?main=DocumentDetail&o=09000064803c4f48>