

TESTIMONY

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Chairman Christopher Shays, Ranking Member Dennis Kucinich, and distinguished members of the subcommittee, I am Angie Howard, executive vice president at the Nuclear Energy Institute (NEI). I am honored to address the issues before this subcommittee today. I will discuss the steps our industry has taken to build on its already proven security measures, and I also will review the industry's well-developed emergency preparedness programs.

The Nuclear Energy Institute is responsible for developing policy for the U.S. nuclear industry. NEI's 270 corporate and other members represent a broad spectrum of interests, including every U.S. electric company that operates a nuclear power plant. NEI's membership also includes nuclear fuel cycle companies, suppliers, engineering and consulting firms, national research laboratories, manufacturers of radiopharmaceuticals, universities, labor unions and law firms.

Nuclear energy already is a vital part of our nation's diverse energy portfolio, producing electricity—safely and cleanly—for one of every five U.S. homes and businesses. A comprehensive energy policy must ensure an affordable, reliable supply of energy, and nuclear energy provides one of the solutions to several policy challenges facing our nation.

NUCLEAR POWER PLANTS ARE KEY TO ENERGY SECURITY AND CLEAN AIR

Given our nation's confrontation with Iraq, this is an important time to consider the importance of nuclear energy to our nation's energy security. One of the most significant ways that our nation responded to the oil embargoes of the 1970s was by rebalancing our energy supply portfolio. The U.S. energy sector reduced its dependence on oil-fired power by increasing reliance on domestic sources, such as coal and nuclear energy.

To underscore this point, nuclear energy provided just 4 percent of U.S. electricity supply before the oil shocks of the 1970s, and oil fueled about 20 percent of electricity production. Today, the situation is reversed, with nuclear energy serving as a workhorse of the electricity sector and oil all but phased out of use for generating electricity. The United States remains the world leader in nuclear energy, with 103 reactors generating an estimated record 778 billion kilowatt-hours of electricity in 2002—more than *all* of the electricity used in Great Britain and France combined. Our 103 reactors are about one-fourth of the world's total.

Nuclear energy is the only large source of electricity that is both emission-free and readily expandable. The industry's exemplary safety record, outstanding reliability, low operating costs and future price stability make nuclear energy a vital source of power today and for the future. Nuclear energy accounts for three-fourths of all U.S. emission-free electricity generation and is, without question, a vital component of our nation's clean air policy.

Nuclear energy already has made a staggering contribution toward reducing harmful emissions to the atmosphere. Between 1973 and 2001, U.S. nuclear power plants avoided the emission of 70.3 million tons of sulfur dioxide, and 35.6 million tons of nitrogen oxide, compared to fuels that otherwise would have produced electricity. In 2001 alone, nuclear plants avoided the emission of 4 million tons of sulfur dioxide, about 2 million tons of nitrogen oxide and 176.8 million metric tons of carbon.

Given that many areas in New York and Connecticut are in non-attainment regarding air quality, nuclear energy's importance to the region is even more apparent. Energy Secretary Spencer Abraham recently said of nuclear energy, "It's obvious to me that an energy source capable of supplying a significant proportion of the world's power with no greenhouse gas emissions should be at the center of the debate." In New York state, Attorney General Eliot Spitzer said that emissions threaten the region's public health and environment if left unchecked.

Nuclear energy must continue to be a significant part of our diverse energy portfolio if we are to enjoy both economic growth and a cleaner environment.

Nuclear energy has long been an engine for economic expansion. It is the most affordable source of baseload power in the United States, with the added advantage of stable forward pricing. Since 1990, nuclear energy has produced—through increased capacity and enhanced power ratings—electricity equivalent to adding 25 1,000-megawatt power plants to our nation's electricity supply. For example, in 1990, nuclear energy produced one-quarter of New York state's electricity, including power for the New York City subway system and other essential services. In 2000, nuclear energy provided 45 percent of Connecticut's electricity. In fact, nuclear energy has met nearly 27.5 percent of

the increased demand for electricity for our entire country over the past decade.

Nuclear energy is equally vital to New York.

The Indian Point Energy Center, which is owned and operated by Entergy, produced nearly 2,000 megawatts of electricity—about 20 percent of the electric power used in the New York City area. Riverkeeper, an organization that has long been dedicated to shutting down the Indian Point facility, recently admitted that, if successful, its efforts to close the plant would raise consumers' electric bills a "marginal" amount "from \$50 to \$100." That is not an insignificant sum.

A study in 2002 by the Public Policy Institute, the research affiliate of the Business Council of New York State, concluded that the state must add at least a dozen new power plants with at least 9,200 megawatts of generating capacity by 2007 to avoid the risk of serious economic damage from power shortages. The New York Independent System Operator, which is responsible for assuring reliable supplies of electricity for the state, said that New York City alone will need as much as 3,000 megawatts of new generating capacity by 2005. These projections assume continued operation of both reactors at the Indian Point Energy Center.

If Indian Point were closed, industry estimates show that the electricity reserve margins for New York would be dangerously low, and consumers could be expected to pay an additional \$3.5 billion for electricity over a three-and-one-half-year period. Much of the price increase would fall on New York City's lower-income residents—those that can least afford it.

The costs to business from interrupted power supplies would be incalculable if Indian Point Energy Center is closed prematurely," the Business Council said in testimony two weeks ago before the New York City Council. "We need only look at California during their power blackouts to find the toll to business—in lost production, damaged equipment and effect on employees—is unacceptable." In addition, the council testified that importing 2,000 megawatts of power from out of state is not feasible given transmission constraints that limit the amount of electricity that can be imported into southeastern New York. "It is also a fallacy that we could conserve enough power to make up for Indian Point's loss of almost 2,000 megawatts in a single momentary instance."

NUCLEAR PLANTS HAVE THE BEST INDUSTRIAL SECURITY IN THE NATION

As our nation's considerations of energy security and national security grow more urgent, we cannot afford to proceed on either front without considering the broad benefits of nuclear energy. The industry recognizes, however, that the health, economic and national security considerations associated with nuclear energy easily could be overruled if our plants are not operated safely. The industry has proven over four decades that nuclear power plants can be operated safely. In addition to world-class safety, nuclear power plants meet exacting federal requirements for security and emergency preparedness.

Our nuclear plants were built to withstand certain natural events, such as earthquakes and hurricanes, and the Nuclear Regulatory Commission (NRC) has for more than 20 years required that private security forces defend against an attacking force of saboteurs intent on causing a release of radiation. However, the events of Sept. 11, 2001, caused us to reconsider and to improve.

In analyzing this changed world, the nuclear industry started with the firm knowledge that nuclear power plants—although robust and difficult targets to penetrate—nonetheless are said by some organizations to be potential terrorist targets because of public concern over possible radiation releases. However, as stated by NRC Chairman Richard Meserve:

It should be recognized that nuclear power plants are massive structures with thick exterior walls and interior barriers of reinforced concrete. The plants are designed to withstand tornadoes, hurricanes, fires, floods, and earthquakes. As a result, the structures inherently afford a measure of protection against deliberate aircraft impacts. In addition, the defense-in-depth philosophy used in nuclear facility design means that plants have redundant and separated systems in order to ensure safety. That is, active components, such as pumps, have backups as part of the basic design philosophy. This provides a capability to respond to a variety of events, including aircraft attack.

As Chairman Meserve noted, the industry's defense-in-depth philosophy includes protection by well-trained, heavily armed security officers, fortified perimeters and sophisticated detection systems. We also assume that potential attackers may attempt to achieve the help of a sympathetic insider, so the companies that operate nuclear plants conduct extensive background checks before hiring employees. Even so, to be conservative, our security plans assume that attackers are successful in obtaining insider help. I have attached an NEI publication entitled "Nuclear Plant Security," which explains in more detail the many security measures in place at nuclear power plants.

SECURITY INCREASED SINCE SEPT. 11, 2001

Before Sept. 11, nuclear power plants were—without question—our nation’s most secure industrial facilities. But the industry and the NRC recognized that our prior defenses were not enough, and our security has been greatly bolstered. On Sept. 11, the nation’s nuclear power plants were placed on, and have remained at, a heightened level of alert. We increased security forces at the plants by one-third, to some 7,000 officers at 67 sites. Overall, the industry has invested more than \$370 million in security-related improvements since September 2001.

A copy of an NEI publication entitled “Post-Sept. 11 Improvements in Nuclear Plant Security Set U.S. Industry Standard” is attached. It provides additional detail regarding the many security changes that have been made at our plants since September 2001.

The nuclear industry has cooperated and worked with the NRC to completely review nuclear plant security, and many improvements have been implemented as a result. Changes include measures to provide additional protection against vehicle bombs, as well as additional protective measures against water- and land-based assaults. The industry has increased security patrols, augmented security forces, added more security posts, increased vehicle standoff distances, tightened access controls, and enhanced coordination with state and local law enforcement. The NRC has issued proposed orders that will have the effect of revising the “design basis threat” which—by defining the characteristics of the threat that a plant must defend against—is the foundation for our security programs.

Our defenses were exceptional prior to Sept. 11, and they are even better today. It is unlikely that attackers could successfully breach security at a nuclear power plant and produce a release of radiation that would endanger the residents near the plant. Security at our nuclear power plants is not static. We are constantly reviewing and reevaluating our security programs. In that regard, the industry stands ready to work with this subcommittee to help you and the American public better understand our industry’s strong commitment to public safety.

POLICYMAKERS AND OTHERS PRAISE NUCLEAR PLANT SECURITY

The nuclear energy industry’s security program has been a model for the private sector. In fact, when *The Washington Post* reviewed security in several U.S. private and government sectors last year, a panel of experts gave the nuclear industry a rating of A-/B+—the second-highest rating in the survey.

Members of Congress have been impressed with nuclear power plant security as well. Democratic Whip Steny Hoyer (Md.), after visiting the Calvert Cliffs plant, said, “I believe every step is being taken [with security at Calvert Cliffs] and this facility is safe. ... If there were a threat to this facility, resources would be deployed quickly. Power plant security for me is not academic. My house is 10 miles from here.”

After visiting the Perry nuclear power plant, Sen. George Voinovich (R-Ohio) said, “We are increasing our security in Washington, but we could never touch this. I am absolutely overwhelmed by the security they have at this facility. ... If you really look at these facilities, they are the most inspected and looked at in the country.” Sen. Bob Graham (D-Fla.), after visiting the St. Lucie nuclear plant, said, “All Floridians can breathe a little easier because of what [the security officers at St. Lucie] are doing.”

Iowa Gov. Tom Vilsack, after visiting the Duane Arnold Energy Center, said, “The security here is much more intense than anything I have experienced, that’s for sure. A lot of thought has gone into the concept of security, not only to ensure that folks are not exposed to any dangers from the operation of the facility, but just as importantly, making sure that no one can interfere with the operation of the facility. ... [Duane Arnold] is one of the safest of its kind in the country. *The security measures at this facility are extraordinarily impressive*” (emphasis added). South Carolina Gov. Jim Hodges said, “I am quite impressed [with security at the Oconee nuclear power plant]. *This is an incredibly safe place. This spot’s a fortress—you couldn’t get to it to do any damage*” (emphasis added).

The subcommittee also should consider the findings of a two-day national security simulation conducted by the Center for Strategic and International Studies (CSIS), which examined the vulnerability of the nation’s energy facilities.

CSIS said last October that nuclear power plants are “probably our best-defended” industrial facilities against a terrorist attack on the critical infrastructure of the United States. CSIS came to this conclusion after Silent Vector, a two-day national-security simulation exercise in which nuclear power plants were among a list of seven facilities identified as potential targets for possible attacks by air, ground and sea. CSIS President and Chief Executive Officer John Hamre, a former deputy defense secretary, said at a news conference that the nuclear industry “has taken security pretty seriously for a long, long time.” Hamre also singled out nuclear power plants for their established communications channels with federal, state and local officials.

NEI is certainly aware of public concerns regarding aviation attacks and, early in 2002, requested that EPRI—a non-profit energy research consortium—conduct an analysis of whether nuclear power plant structures could

withstand intentional aircraft impacts, like those of Sept. 11. Aircraft impact issues have been addressed in the licensing process for all 103 operating reactors, but those evaluations were conducted on the basis that the crash would be accidental. EPRI's independent study was conducted by experts in impact analysis related to commercial and military applications. Their results were in-line peer reviewed by an expert in the dynamic analysis of structures and a renowned structural analyst.

The EPRI study found nuclear power plant containment buildings and used fuel storage pools would protect reactor fuel even if the structures were struck by a fully loaded Boeing 767-400 flying at approximately the same speed as the airplane that crashed into the Pentagon. The study also found that such an impact would not breach the used fuel storage containers used at many plants to store used nuclear fuel outside a used fuel pool. Such a crash certainly would cause a significant amount of collateral plant damage, and no doubt would shut down the plant. However, the EPRI study concluded that such an event would not cause a release of radiation because it would not result in a breach of reactor containment, nor would it cause the spent fuel pool to lose cooling water that shields the fuel from the environment.

The Bush administration recently released a report entitled "The National Strategy for the Physical Protection of Critical Infrastructures and Key Assets" and we urge the committee to consider its findings and recommendations. The report states:

Nuclear power represents about 20 percent of our nation's electrical generation capacity. The U.S. has [103] commercial nuclear reactors in 31 states. For 25 years, federal regulations have required that these facilities maintain rigorous security programs to withstand an attack of specified adversary strength and capability. Nuclear power plants are also among the most physically hardened structures in the country, designed to withstand extreme events such as hurricanes, tornadoes and earthquakes. Their reinforced engineering design provides inherent protection through such features as robust containment buildings, redundant safety systems, and sheltered spent fuel storage facilities.

The security at nuclear power plants has been enhanced significantly in the aftermath of the Sept. 11 attacks. All plants remain at heightened states of readiness, and specific measures have been implemented to enhance physical security and to prevent and mitigate the effects of a deliberate release of radioactive materials. Steps have been taken to enhance surveillance, provide for more restricted site access, and improve coordination with law enforcement and military authorities. In addition, all nuclear power plants have robust security and emergency response plans in place to further assure public health and safety in the unlikely event of a malicious act and/or radioactive release.

The White House strategy recommends conducting comprehensive vulnerability and risk assessments of the nation's critical infrastructure so security resources can be used in the areas that pose the most risk to public health and safety. The nuclear industry's security capability meets all federal requirements, and we support the White House's recommendation to assess the next steps in determining where federal security resources are most appropriately deployed. The NRC should coordinate its review of nuclear plant security with the Department of Homeland Security so decisions on federal resource allocation are made considering all sectors of the critical infrastructure. Risk assessments clearly show that nuclear power plants do not pose a public health and safety risk, even in the event of a terrorist attack.

PROVEN EMERGENCY PLANS INTEGRAL TO PLANT OPERATIONS

Emergency preparedness has been an integral part of our daily operations and is an important component of our defense-in-depth philosophy. The nuclear industry's emergency preparedness programs, like our overall security programs, are the gold standard worldwide, tested and proven for more than 20 years in response to natural disasters and non-nuclear events. Federal law has required nuclear power plants to develop and maintain sophisticated emergency response plans since 1980. These plans are approved by the NRC and are coordinated with the Federal Emergency Management Agency (FEMA). The industry, along with state and local authorities, tests its emergency preparedness plans in graded exercises every two years. These exercises are observed and graded by the NRC and FEMA to assure compliance with regulatory requirements. For example, the plan at the Indian Point facility was tested, in coordination with the NRC and FEMA, on Sept. 24, 2002, and received a positive evaluation from FEMA, with no deficiencies.

The industry is constantly seeking to improve its plans and has, since Sept. 11, conducted a comprehensive review of the requirements for plant security, including emergency preparedness. A number of improvements in preparedness have been implemented as a result.

To provide the committee with additional information regarding the industry's emergency response programs, a copy of an NEI publication entitled "Emergency Preparedness Near Nuclear Power Plants" is attached. In addition, the committee may be interested in the more detailed testimony of emergency planning expert Donna Miller Hastie, submitted to another congressional committee last year. A copy of her testimony is attached.

10-MILE AND 50-MILE EMERGENCY PLANNING ZONES

The 10-mile evacuation zone was determined by a multi-agency task force that included the NRC, FEMA, the Environmental Protection Agency (EPA) and others. The 10-mile zone is considered by most experts to extend far beyond an area where the radiation release would cause an immediate threat to public health. A small portion of residents within the 10-mile emergency planning zone would evacuate in the unlikely event of a reactor accident, but sheltering in place would provide the health and safety benefits for most residents in that area. Unfortunately, those who are seeking to shut the plant prematurely imply that everyone within 50 miles of the plant would need to evacuate. That is simply not true. There are, however, requirements in Entergy's emergency plan for the facility to test water, produce and dairy products within a 50-mile radius of the plant to ensure that these products are safe for public consumption.

Nuclear power plant emergency planning zones (EPZ) consist of two major parts. The first is the plant site itself and a 10-mile radius around the plant. The second is a 50-mile radius of the site that does not require evacuation, but rather is an area where products like agriculture and livestock are monitored.

The 10-mile zone was based on the NRC's conservative analysis showing that there would be little impact on public health beyond the 10-mile radius due to a release of radioactivity from a serious reactor accident. Extensive studies have shown that it is extremely unlikely that radiation exposures to persons within the 10-mile EPZ would exceed the limits established by the EPA—1 rem for whole body dose, compared to an average dose of .36 rem per year from natural and man-made radiation sources, and 5 rem for thyroid dose. These levels are far below the doses for which public health effects would occur and for which long-term health effects, primarily cancer, are known to occur. By comparison, a whole body CT scan, a popular elective medical procedure, results in a dose of 2 rem to the body—twice the dose at which protective action would be taken in the case of a release of radiation from a nuclear power plant. At Three Mile Island in 1979, the highest public whole-body dose was 0.08 rem and the highest thyroid dose was about 0.01 rem—too low to cause any health effects.

The industry and the state and counties within the 10-mile zone develop and regularly exercise comprehensive emergency response plans. In the event of an accident, these plans include gathering data from the nuclear plant and collecting independent data from state, county and federal resources to assess possible exposures to the public from the plant. The participants also evaluate action required to protect the plant workers and the public, including evacuation of persons from some parts of the 10-mile zone and sheltering—that is, staying indoors with doors and windows closed.

The radiation dose to the public in the 10-mile zone is a function of the concentration of the radioactivity in the plume. As the plume expands down wind, the concentration decreases, as does the radiation dose—quickly and significantly.

Extensive knowledge of plume physics enables emergency planners and decision-makers to take prompt actions to protect public health and safety. Because radioactivity released from a nuclear power plant does not move in all directions at once, but travels in a plume that covers a small fraction of the emergency planning zone, it is possible to move out of the plume by traveling a short distance perpendicular to the downwind direction of the plume.

In virtually all cases, the concentration and dose of the plume is reduced so significantly as distance from the plant increases, that there is no reason to take protective actions outside the 10-mile EPZ.

The 50-mile radius ingestion pathway EPZ was established to conservatively encompass an area that would be substantially less affected by releases of radioactivity in the event of a serious accident. The concern in the 50-mile EPZ is dose resulting from direct deposition of radioactivity on the ground, on commercial food crops, on surface water reservoirs, and on land used for grazing of dairy herds and meat sources. The radiation doses that could occur in the 50-mile EPZ following a release of radioactivity at Indian Point are very low—about the same level as a person’s typical annual background dose levels. Federal guidance does not include evacuation of this zone because the risk of injury during evacuations themselves would be much greater than the minimal potential health effects from low levels of radiation in this zone.

In the case of Indian Point, there are very few commercial farming activities—vegetable, fruit, dairy, cattle or poultry—within 50 miles north and south of the Hudson River valley. Surface reservoirs of drinking water are to the east and northeast. Thus, under typical meteorological conditions, the low-level radioactivity that might be released from Indian Point would not substantially impact food, milk or drinking water supplies for persons living around the plant.

INDUSTRY CONCERNS ABOUT THE WITT REPORT

We are aware that the committee is particularly interested in the findings of a report entitled “Review of Preparedness at Indian Point and Millstone,” drafted by James Lee Witt Associates and released on Jan. 10, 2003. We strongly urge the committee to recognize that the Witt report has only been released in draft form. Entergy was not provided a significant amount of time for input to that report. As a result, there are several factual errors in the report that could have been prevented had the report’s authors more extensively reviewed the

emergency response plans and detailed implementing procedures currently in place at that facility.

The draft Witt report identified several areas that the industry will review and consider as part of its comprehensive review of security. For example, the report provides recommendations to upgrade equipment, provide training on emergency family protection and improve response times through drills. Other notable issues include notification procedures, the use of probabilistic safety assessments, population reviews and more effective public awareness and education.

However, the Witt report draft also raised many concerns that the industry believes are based on incomplete or inaccurate information. The industry disagrees with several of the key findings of the report. A copy of NEI's Feb. 7, 2003, letter providing industry comments on the Witt report is attached.

I would like to highlight three of our major concerns about statements in the draft report.

Much of the report is based on an assumption that people will not comply with official directions and, as such, evacuation plans for Indian Point do not consider the reality and impacts of a spontaneous evacuation. That assumption is not supported by experience with actual emergency evacuations.

A 1989 industry report provides insights and lessons learned from the analysis of more than 50 large-scale emergencies—both from natural and man-made events—that required the evacuation of up to 300,000 people. The report found that the evacuations proceeded smoothly and safely, even when managed by local response officials without advance preparation and with little or no evacuation training. Although many people may view an evacuation of 300,000 as being irrelevant to the Indian Point area, I urge the subcommittee to consider that the numbers of people that need to consider evacuation due to an accident at that plant have been grossly overestimated.

Second, the industry disagrees with the report's allegations that industry and state and local government emergency plans do not consider the additional ramifications of a radiation release caused by a terrorist and that the plans do not account for the impact of a spontaneous evacuation.

The Witt report ignores recent regulatory and industry actions that address the unlikely potential for a large radiation release resulting from a terrorist attack. Following Sept. 11, the NRC conducted a comprehensive review of nuclear plant security measures and policies and issued new requirements focused in part on emergency preparedness at plant sites in response to the potential for terrorist threats. These new NRC requirements addressed such issues as plant

evacuation, communications with nearby communities, emergency staffing, procedures and plans.

Third, the draft report asserts that emergency preparedness exercises are of limited use in identifying inadequacies and improving emergency response programs. This assertion simply is not supported by actual evacuations and emergency planning drills. Nuclear plant emergency plans—well tested through regular exercises—have proven effective in evacuating residents during natural disasters such as hurricanes and in non-nuclear emergencies such as chemical spills and train derailments. The industry’s success in emergency preparedness programs has been measured by exercises that have been critiqued, reviewed and approved by both the NRC and FEMA. The draft Witt report acknowledges that nuclear plant emergency programs are effective in responding to non-nuclear emergencies, yet it does not recognize the role exercises have played in making them so effective.

NRC Chairman Meserve, in a Feb. 12, 2003, letter, also challenged the conclusion of the Witt report in this area. Meserve wrote that emergency response plans, including the one at Indian Point, are designed to cope “with a spectrum of accidents, including those involving rapid, large releases of radiation.” This is an important point that counters one of the principal findings of the draft Witt report and is the basis for other criticism of emergency response planning. A copy of Chairman Meserve’s letter is attached.

In addition, a copy of a letter from EPRI to Witt Associates, dated Feb. 6, 2003, is attached. Based on its independent analyses of the consequences of potential ground-based terrorist attacks at a nuclear power plant, EPRI said that the risk to public safety from a terrorist attack on a nuclear power plant is very small. This risk is well within the safety standards established by the NRC and far below risks encountered in countless daily activities.

The analyses by EPRI and other independent engineering experts included issues such as the possibility that these terrorist threats could inflict damage on reactor fuel; the possibility and magnitude of radiation releases from a plant’s containment building, which houses the reactor; and the possibility of public health consequences due to potential radiation exposures.

In the unlikely event of a radiation release, the EPRI study estimates that the likelihood of one fatality is less than one chance in 600,000 years—50 times lower than the NRC safety standard. The likelihood of one cancer-induced fatality is less than one chance in 300,000 years—1,000 times lower than the NRC safety standard. The long-term cancer fatality risk is indistinguishable compared to cancer fatality risks from other causes.

The low risk results from a combination of several factors: robust physical security and security forces at nuclear power plants; plant design and safety features; detailed emergency response plans; the capability of federal, state and local agencies to detect, interdict or disrupt an armed attack force. There is a low likelihood of reactor fuel damage due to plant security features, industry capability to detect “insider” activities, and multiple plant safety and shutdown systems that can be activated to stabilize the plant. The strength of the containment building and the radiation removal capabilities of plant systems further reduce the likelihood of a severe radiation release. Even in the unlikely event of significant radiation release, emergency response actions would limit public health consequences.

THE WITT REPORT IS ‘FUNDAMENTALLY FLAWED’

Following the release of the draft report, an independent task force of some of the most widely respected experts in emergency planning critiqued the report’s findings. The task force issued a 39-page report on Feb. 7, 2003. Copies of this report will be made available to this subcommittee and are worthy of reading in detail. But the following conclusions by the experts stand out:

- “[The task force] found the draft Witt report to be fundamentally flawed in several important respects, and therefore we do not consider it to be a valid basis, in its current form, for decision making.
- “The draft Witt report’s most serious flaw is that it draws conclusions, on matters of great importance, with little apparent basis other than the opinions of its (unnamed) authors. As an example, it asserts that a terrorist-caused radiation release at Indian Point would likely be worse in magnitude and timing than that caused by accidents previously considered in safety and risk assessments of the plant. And, it compounds that error by asserting that the emergency management process does not accommodate the consequences of such terrorist-caused events. Both assertions are presented without reference, basis or explanation—and, in fact, both are incorrect.”

It is unfortunate that the draft Witt report is so replete with factual errors and false assumptions, yet is being used by some as the basis for recommending closure of the Indian Point Energy Center. Entergy and state and local officials participated in an exercise of the Indian Point emergency plan last September and FEMA found no deficiencies in the plan during the exercise.

CONCLUSION

In conclusion, the industry urges Congress to consider security at nuclear power plants in the context of our nation's overall national security and energy security policy. The industry's long-standing commitment to security and emergency planning makes it the gold standard in the industrial sector, and we are committed to the safety and security of the nation's nuclear power plants. The industry has met all NRC security requirements since Sept. 11, and we continue to coordinate closely with local and state law enforcement agencies, the military and the intelligence community in order to remain vigilant.

NEI is pleased to be able to present this testimony to this subcommittee. The industry is committed to working with Congress to develop policy that enhances and builds on our proven security and emergency preparedness.