

Testimony Presented

By

**Dominion**

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Emerging Threats: Assessing Public Safety and Security Measures  
At Nuclear Power Facilities

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Good afternoon, Mr. Chairman and Members of the Subcommittee. My name is William Renz and I am the Director of Nuclear Protection Services and Emergency Preparedness for Dominion. I have the responsibility for nuclear security, access authorization, fitness for duty and emergency preparedness for all three of our nuclear power stations.

Dominion appreciates the opportunity to provide testimony to the House Subcommittee on National Security, Emerging Threats and International Relations regarding nuclear power station security and onsite and offsite emergency preparedness as they relate to the draft James Lee Witt Associates report entitled *A Review of Emergency Preparedness at Indian Point and Millstone*. My testimony also will address your specific question about what if any progress has been made by the Federal Emergency Management Agency (FEMA) and the Nuclear Regulatory Commission (NRC) with respect to emergency preparedness and security of nuclear power production facilities.

For those of you who may not be familiar with my company, Dominion is one of the largest electric and gas companies in the United States, with a diversified and integrated energy portfolio consisting of about 24,000 megawatts of generation. The company operates three nuclear power stations – the Millstone Power Station in southeastern Connecticut, and the North Anna and Surry Power Stations in Virginia. Electricity from these safe nuclear power plants account for about 25 percent of the power we produce for our customers.

To better understand the current regulatory oversight of these functions, and to provide some context, it may be appropriate to look back briefly at the impetus that shaped nuclear power station emergency planning as we know it today. The 1979 Three Mile Island (TMI) accident near Harrisburg, Pennsylvania, had a profound impact on nuclear emergency preparedness for all nuclear licensees. One of the many lessons learned from a review of the response to the accident at TMI was the need to establish an integrated emergency response capability and, therefore, an integrated emergency planning effort. For more than 20 years, state authorities and local governments within 10 miles of a nuclear power station have worked together with licensees to provide assurance of the health and safety of the general public. A public/private partnership grew out of this joint planning effort and has formed the basis for extremely effective working relationships between the industry and the public safety sector.

Dominion has always believed in participating in a public/private partnership with respect to emergency planning. What I mean by a public/private partnership is the ability of the licensee and local, state and federal emergency responders to work effectively in a coordinated manner so that everyone clearly understands their roles and responsibilities in emergency planning and public protection. This assures that all response organizations will be able to respond in a coordinated manner to protect the health and safety of the public should an emergency occur.

Key to successful integrated emergency planning is an on-going, open dialogue among all stakeholders to improve the level of emergency preparedness. This dialogue, coupled with frequent joint planning and training activities, creates a partnership that promotes a high level of trust between the licensee and offsite response organizations.

This public/private partnership concept that came out of the lessons learned from the TMI accident provides an additional layer of safety to the many monitoring and safety system improvements made to nuclear power stations since the early 1980s. The onsite emergency response capability grew from a little-practiced emergency response staged from the nuclear facility's main control room, to one that staffs five or six emergency response facilities with as many as 100 emergency responders. Nearly 100 initiating conditions (emergency action levels) that would require the classification of an emergency have been established. Included in these are the potential effects of a terrorist attack. Strict requirements for timely notifications of an emergency to offsite authorities have been established. This onsite response includes performing emergency response functions such as accident assessment and mitigation, damage control and repair, radiological consequence assessment and provisions for an effective coordination with federal, state and local response organizations. The onsite response is structured to support fully the actions of the offsite response organizations involved. Indeed, many programs provide for either licensee representation in state or local emergency operation centers, or governmental officials to respond to licensee emergency response facilities.

Following the accident at TMI, the nuclear emergency preparedness requirements for offsite response organizations were expanded dramatically. The two-mile low population zone was expanded to a 10-mile emergency planning zone (EPZ). Planning for implementing protective actions within this 10-mile zone include the ability for the offsite response organizations to perform an independent accident assessment, radiological monitoring, sample collection and analysis, capability to promptly notify the public, traffic control strategies, and provisions for reception centers and congregate care facilities.

Paradoxically speaking, an improved understanding of how a severe accident affects nuclear fuel, generally referred to as the alternate source term, indicates that the same bases used to determine the 10-mile EPZ would today support a significantly smaller sized emergency planning zone. Nonetheless, now would not be the time to reduce the level of emergency planning around nuclear plants.

For many years it has been widely recognized that the level of emergency preparedness in the communities in and around nuclear power stations is superior to that of other localities. This is because of a number of factors, including financial support for emergency planning in localities within the 10-mile zone, investment in emergency mitigation equipment and associated technology, and onsite and offsite training of emergency responders.

These points illustrate that much of the regulatory reform done in the early '80s has essentially given FEMA and the NRC a 'head start' on what was needed to be done to provide for the reasonable assurance of the public's health and safety in this new threat based environment.

With respect to security at nuclear facilities before September 11, 2001, licensees maintained a very high level of security in the portion of the plant site called the protected area. The protected area includes the nuclear reactors and power production facilities and is isolated from the rest of the overall plant site by means such as concrete vehicle barriers, double razor wire fences, defensive positions at various locations internal to, or along the perimeter of the protected area, and a highly secured entry point for vehicles and employees to enter the facility. The protected

area also includes state-of-the-art technology used to detect and assess any attempt by unauthorized persons to make entry. Trained and armed responders are positioned to ensure that areas vital to nuclear safety will remain secured. In addition, licensees maintained regular dialogue with local, state and federal law enforcement agencies as a normal part of station security.

After the attacks of September 11, 2001, the very high level of security within the protected area was further heightened. Additionally, security was expanded to provide an armed responder presence and surveillance capability throughout the overall plant site, also known as the owner controlled area. To give you an idea of the impact of this, the protected area for Millstone is approximately 53 acres. The owner-controlled area is approximately 542 acres, or ten times the size of the protected area.

The NRC has issued orders requiring significant increases in the requirements for physical security, for the process used to determine access authorization for those allowed to enter a nuclear site unescorted, and for decommissioning reactors. Additional NRC security orders are pending.

These new NRC requirements are intended not only to fortify a plant site but also to ensure that plans are in place to respond to a terrorist attack. A great amount of time has been spent on 'table topping' terrorist attack scenarios and how law enforcement resources would be integrated into such a response. Plan and procedural modifications have been made. Corresponding training has been provided.

These changes, taken in total are quite far-reaching and comprehensive.

The attacks of September 11 have also forced licensees to considerably strengthen relationships with the intelligence community, install counter surveillance measures and work toward the common protection of this critical infrastructure.

In many cases, the relationships formed in the integrated emergency planning efforts of the past 20 years were successfully leveraged to improve relationships with law enforcement agencies and the intelligence community. Without regard to NRC or FEMA regulatory oversight, coordination between all levels of government and industry pertaining to intelligence gathering and threat assessment activities has been nothing short of extraordinary. Active participation in homeland security planning activities has also become part of our process moving forward. Examples of these new and forming public/private partnerships include the following:

- Dominion now sits on the Critical Infrastructure Sub-panel on Virginia Gov. Mark Warner's *Secure Virginia Initiative* and works closely with other companies and industries and with all levels of government in an effort to improve the security of critical infrastructures within the Commonwealth. This includes the development of homeland security strategies as they relate to critical infrastructures.
- The National Capital Response Squad of the FBI's Washington Field Office recently came to the North Anna Power Station in Virginia and attended a six-hour training session designed

to familiarize the team with our security program. Without a doubt, that team left the site with a much higher appreciation for the level of security at North Anna and for the level of security throughout the nuclear industry.

- Training exercises prompting a response to a security-related event have been conducted. On July 11, 2002, an exercise conducted at the Millstone Power Station provided an integrated training opportunity for the Millstone emergency response organization to coordinate with the Connecticut Office of Emergency Management; the Connecticut Department of Environmental Protection; the Connecticut State Police Emergency Services' bomb squad unit; the Connecticut Department of Transportation; the National Guard, the Waterford Police Department, and the Federal Bureau of Investigation.
- We participate in monthly Connecticut state and local law enforcement planning and strategy meetings regarding Millstone security and emergency planning. We participate in quarterly emergency planning zone Connecticut and New York community Emergency Management Director meetings. We participate in periodic Connecticut, New York and Rhode Island state emergency management meetings. We take full advantage of these as well as a number of other scheduled and unscheduled opportunities, throughout all levels of the Millstone team to continue the process of joint continuous improvement between the States of Connecticut, New York and Millstone Station in face-to-face settings.

With respect to FEMA and NRC oversight, the existing emergency planning regulatory framework in place enables the company and offsite response organizations to continue to assure public health and safety around nuclear power plants. This framework serves as a solid foundation for an increasing level of emergency preparedness due to a higher level of integration with law enforcement agencies and intelligence assessment functions. While emergency planning regulations have not directly been changed, the regulatory oversight for nuclear emergency preparedness programs has certainly been increased since September 11, 2001.

In the area of nuclear security, the NRC continues to raise the level of regulatory oversight. In addition to NRC issuing a series of orders to increase requirements, the NRC is currently considering a significant expansion of the existing design basis threat and the corresponding adversary characteristics. NRC efforts, while well intended, appear to be looking for the industry to compensate for the federal government's responsibility to defend against an enemy of the state. We believe that any change to the existing design basis threat should be coordinated with the President's recently issued plan for homeland security. It should also recognize the substantial security measures already in place at nuclear plants and take into account the relative vulnerabilities and risks of other elements of our nation's critical infrastructure.

It should be noted that improvements can be made with respect to the integration and timely sharing of intelligence information and the timely sharing of event information. Today, there is no prompt notification process in place to notify licensees of significant information. An advisory alerting us to an upgrade in the national threat level can be issued hours after the upgrade is made effective.

With regard to the Witt report, it is unclear to what degree this review took into consideration the new efforts being taken by the industry and all levels of government in the charge of better securing the country's nuclear power stations. Nevertheless, we are in the process of working with our stakeholders to improve the level of offsite emergency preparedness in Connecticut and Virginia based on the recommendations provided in the report.

In closing, Mr. Chairman, the existing emergency preparedness regulatory framework and our public/private partnerships in Connecticut and Virginia provide reasonable assurance of public health and safety. The increased coordination with law enforcement agencies and the intelligence community has substantially strengthened emergency preparedness programs throughout the industry.

Again, I thank you for this opportunity.