

January 23, 2001

The Honorable Sue W. Kelly
United States House of Representatives
Washington, D.C. 20515

Dear Congresswoman Kelly:

I am responding to your letter dated January 3, 2001, in which you raised concerns about activities at Consolidated Edison's Indian Point 2 nuclear power station. In particular, you raised concerns about leaks at Indian Point 2, and also requested that the Nuclear Regulatory Commission (NRC) suspend operations at Indian Point 2 until safety issues have been addressed and resolved.

Consistent with our designation of Indian Point 2 as a plant warranting heightened scrutiny under our Reactor Oversight Program, we have been closely monitoring plant activities. We have conducted augmented inspections of Consolidated Edison's restart testing and power ascension program and have carefully assessed their handling of various equipment issues that have arisen during the restart process, such as the reported pressurizer relief valve leakage to the plant's pressurizer relief tank to which you referred in your letter. We have determined that this leakage, which by design is being retained by plant systems, is well below allowable NRC limits. This leakage is also well below levels that would adversely affect operation of the safety valve. In this connection, it is important to note that the high-pressure reactor coolant systems at all nuclear power plants can experience a very small amount of leakage, which is routinely retained by plant systems and processed in a safe and controlled manner. This leakage is fundamentally different from the leakage during the February steam generator tube failure, and poses no threat to public health and safety or plant employees. I understand that details of this leak were discussed in depth with you and your staff during a plant tour with Mr. Hubert Miller, Region I Administrator, on January 5, 2001.

Another issue that has received press coverage and to which you referred in your letter was a minor leak on a main boiler feedwater pump. This leak was from the secondary (non-radioactive) side of the plant. Upon discovery, Consolidated Edison took appropriate action to isolate the leak, repair the problem, and return the pump to service. NRC regional and resident inspectors monitored Consolidated Edison's actions during this evolution and concluded that its actions were proper.

With respect to your request that plant operations be suspended pending additional inspections, I note that Consolidated Edison's operation of Indian Point 2, like that of all licensed power reactors, is subject to the terms and conditions of its license and the Commission's regulations. Consolidated Edison is authorized under its license to operate the facility within these limitations absent a Commission order that bars further operation. In light of

the results of inspections to date and our ongoing oversight of licensee activities, the Commission believes it has no basis for taking the extraordinary step of issuing an order to suspend operations at Indian Point 2. This conclusion is based on inspections conducted over the past several months that examined such things as safety system readiness, licensed operator training, corrective actions, and aspects of emergency preparedness. (Reports of these inspections have been made publicly available.) Further, as you know, we have initiated a significant, supplemental team inspection to provide additional insights into facility operations. This inspection team is made up of over a dozen people from various NRC regional offices, NRC headquarters, and contractors. This inspection will consist of three weeks of on-site inspection activities and will include a thorough examination of safety systems at Indian Point 2.

The Commission is aware of the concerns in the community regarding problems the Indian Point 2 plant has experienced. As such, we have worked diligently to inform the public, government officials, and other external stakeholders of our oversight activities. In early 2000, the NRC established a Web site for the Indian Point 2 plant to facilitate communication to the public. Moreover, we have held numerous public meetings and provided reports of our inspections and assessments over the past year. For example, on November 16, 2000, a meeting was held specifically to provide recent inspection results and to inform stakeholders of the NRC's oversight of the Indian Point 2 restart. Subsequently, stakeholders were informed by telephone on December 21, 2000, of the pending restart of Indian Point 2, and a letter providing the latest inspection and assessment information was issued on December 22, 2000.

I want to assure you that, if the NRC should find that the licensee is not complying with NRC requirements or not maintaining safe operations, the NRC will take appropriate action.

If you have any further questions, please contact me.

Sincerely,

/RA/

Richard A. Meserve