

March 27, 2002

Mr. Matthew P. Carey
Clerk-Treasurer
Village of Dobbs Ferry
112 Main Street
Dobbs Ferry, NY 10522

Dear Mr. Carey:

I am responding on behalf of the U.S. Nuclear Regulatory Commission (NRC) to the Resolution that you forwarded from the Board of Trustees of the Village of Dobbs Ferry dated February 14, 2002, concerning the security of the Indian Point Nuclear Generating Unit Nos. 2 and 3 (Indian Point) and the adequacy of the Westchester County Emergency Plan. In the Resolution, the Board of Trustees requested that the NRC and State of New York (NYS) conduct a thorough review of: (1) the security measures designed to prevent or stop a determined terrorist attack, (2) the structural engineering analysis of the facility's ability to withstand a terrorist attack similar to that which occurred on September 11, 2001, and (3) the evacuation plans for the areas determined to be within a zone that would suffer deaths and illness in the event of a serious radiological release. In addition, the Board of Trustees stated, if after conducting these reviews, that the NRC and NYS cannot ensure the safe operation of Indian Point and give approval to the evacuation plans, the NRC should take action to shutdown the facility.

Since the September 11th terrorist attacks, the NRC has sought to ensure the adequate protection of the nation's nuclear power plants, working in close coordination with the Office of Homeland Security, the Federal Bureau of Investigation (FBI), other intelligence and law enforcement agencies, the Federal Aviation Administration, United States military, State and local authorities, as well as with the operators of the plants. Although there have been no credible threats to any commercial nuclear facility in the United States, immediately following the September 11th attacks, the NRC advised plant operators to implement the highest level of security. All nuclear power plants have complied with the NRC advisories, and continue to maintain heightened security. Moreover, on February 25, 2002, the NRC issued Orders, effective immediately, to all licensees mandating interim compensatory security measures. The details concerning the specific actions are sensitive and, therefore, cannot be discussed in a public document, but they generally include increased patrols, augmented security forces and capabilities, additional security posts, closer coordination with law enforcement and military authorities, and more limited access of personnel and vehicles to the sites. In addition, Chairman Richard Meserve, with the full support of the Commission, has already directed the staff to undertake a top-to-bottom review of our security regulations and procedures, including the basic assumptions of our current programs. The review will include the potential consequences of a similar attack on a nuclear power plant, assessment of threats and a determination of the best protection methods and the need for additional compensatory measures. This review involves coordination with U.S. national security organizations.

The State of New York has augmented the security at Indian Point with National Guard personnel and periodic State police surveillance. In addition, the NYS Office of Public Security (OPS), working with various Federal and State agencies, including the FBI, has assessed the long-term security needs at Indian Point. The NYS OPS report made a number of recommendations to enhance security which the licensee has either implemented or is considering. The NRC continues to work with the other Federal and State agencies, and is monitoring all relevant information it receives on security matters at nuclear facilities. At the same time, the NRC and the Federal Emergency Management Agency (FEMA) have been working with NYS OPS, State Emergency Management Office, and other State and local agencies to enhance coordination involving security and emergency preparedness and planning.

Although we cannot rule out the possibility of future terrorist activity directed at one of our licensee sites before implementing any potential enhancements to our safeguards programs, we believe that these facilities can continue to operate safely. Nuclear power plants have inherent capability to protect public health and safety through such features as robust containment buildings, redundant safety systems, and highly trained operators. They are among the most hardened structures in the country and are designed to withstand extreme events, such as tornadoes and earthquakes. We do not believe that suspending the operation of the Indian Point facility is necessary at this time to provide adequate protection of public health and safety. The NRC is actively monitoring the situation and is prepared to take measures to ensure the continued safety of all nuclear facilities.

NRC regulations require that comprehensive emergency plans be prepared and periodically exercised to assure that actions can and will be taken to notify and protect citizens in the vicinity of a nuclear facility. The NRC and FEMA are the two Federal agencies responsible for evaluating emergency preparedness at and around nuclear power plants. The NRC is responsible for assessing the adequacy of onsite emergency plans developed by the utility, while FEMA is responsible for assessing the adequacy of offsite (State and local) emergency planning. The NRC relies on FEMA's findings in determining that there is reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency. In late January 2002, the State of New York issued its annual letter of certification to FEMA. By this letter, the State informs FEMA that specific preparedness activities have been completed including training and the updating of State and local plans. However, further update of the State and local plans is still ongoing.

M. Carey

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I appreciate your concerns and hope that you find this information useful. If you should have any further questions, please feel free to contact me at 301-415-1353 or Patrick Milano at 301-415-1457.

Sincerely,

/RA/

Elinor G. Adensam, Director
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

M. Carey

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