

**CORR: 00-0081 - REVISED**

*Merrifield*  
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## **COMMISSION CORRESPONDENCE**

### **Correspondence Response Sheet**

**Date:** June 5, 2000

*Concur subject to  
attached edits.*

**To:** Chairman Meserve  
Commissioner Dicus  
Commissioner Diaz  
Commissioner McGaffigan  
Commissioner Merrifield ✓

*Jeff. Meserve*  
6/12/00

**From:** Annette Vietti-Cook, Secretary

**Subject:** Letter to Congressman Maurice Hinchey concerns recent  
steam generator tube failure at Indian Point 2

**ACTION:** Please comment/concur and respond to the **Office of the  
Secretary** by:

**Time:** 10:00 A.M.

**Day:** Tuesday

**Date:** June 13, 2000

**Comment:**

**Contact:** Jefferey Harold, EDO/NRR  
415-1421

**Entered in STARS Tracking System** ☒ Yes ☐ No

*W/30*



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

CHAIRMAN

The Honorable Maurice D. Hinchey  
United States House of Representatives  
Washington, D.C. 20515-3226

Dear Congressman Hinchey:

I am responding to your letter of April 5, 2000, regarding the recent steam generator tube failure at Indian Point Unit 2 (IP2) in Buchanan, New York. In your letter, you requested our support for an objective technical review of a number of issues. These issues include a Petition from the Union of Concerned Scientists (UCS), and a reevaluation of the emergency evacuation plan. You also requested that all outstanding safety issues be resolved before the NRC approves sale of the IP2 plant, that a copy of the IP2 Updated Final Safety Analysis Report (UFSAR) be forwarded to your office, and that the NRC hold a public meeting to address the concerns of citizens.

The NRC staff is reviewing the UCS Petition, filed under 10 CFR 2.206, that requested the NRC issue an order preventing restart of IP2 until (1) all four steam generators are replaced, (2) the steam generator tube integrity concerns identified by Dr. Joram Hopfenfeld in a differing professional opinion (DPO) are resolved and (3) potassium iodide tablets are distributed to residents and businesses within the 10-mile IP2 emergency planning zone. In an acknowledgment letter dated April 5, 2000, the staff informed UCS (and the other petitioners) that its request regarding replacement of the steam generators met NRC criteria for review under 10 CFR 2.206 and that the remaining requests, regarding resolution of the DPO and distribution of potassium iodide, did not meet these criteria. As a result of an April 14, 2000, supplement to the original 2.206 Petition, the NRC is reconsidering review of the DPO and

objectives also include the demonstration of the capability and resources necessary to control evacuation traffic flow and access to evacuated and sheltered areas. It should be noted that nuclear power plant exercises do not include public participation. The most recent exercises at Indian Point were a full participation plume exposure pathway exercise on June 24, 1998, and a post-plume, ingestion exposure pathway exercise on May 25-27, 1999. The plume exposure pathway exercise, as documented in the FEMA exercise report of December 1, 1998, included a satisfactory demonstration of the exercise objectives, including protective actions for school children and traffic and access control.

FEMA regulation 44 CFR 350 also includes provisions for public input to the planning process including public meetings that are held in the vicinity of the plant by FEMA to acquaint the members of the public with the content of the State and local plans and to receive suggestions from the public concerning improvements or changes to the plans. Two such meetings were held by FEMA in July 1982 in conjunction with the initial development of the offsite plans. In addition, FEMA conducts a meeting in the vicinity of the plant following each exercise of the offsite plans. That meeting typically includes representatives of the State and local governments that participated in the exercise, representatives of the NRC and other appropriate Federal agencies, and the public and media as observers. The purpose of the post-exercise meeting is to discuss the evaluation of the exercise and to receive comments or questions from the public and the media. These comments are taken into consideration by FEMA in its evaluation of the exercise and plans. The most recent such meeting at IP was conducted on June 26, 1998, following the June 24, 1998, full participation plume exposure pathway exercise.

IP2  
(IP) not  
previously  
defined

The State and county emergency management agencies in coordination with the utility also provide information to the public on a periodic basis, detailing when and how the public would be alerted and instructed about actions to take in an emergency.

IP2

The NRC Augmented Inspection Team (AIT) identified weaknesses at IP in the area of onsite emergency preparedness in the licensee's response to the recent steam generator tube failure event. While some of the problems identified during this event such as emergency response facility activation and accountability of onsite personnel were new, other problems such as emergency response organization performance were similar to previously identified problems. As a result the NRC conducted an onsite AIT follow-up inspection of the licensee's emergency preparedness program from May 15 to May 26, 2000. In addition, the NRC evaluated an onsite exercise conducted by the licensee on June 1, 2000, to demonstrate that these weaknesses have been successfully addressed and that the licensee's emergency preparedness program continues to meet regulatory requirements. FEMA has found that the offsite emergency plans and preparedness for Indian Point provide reasonable assurance that appropriate measures can be taken off site to protect the health and safety of the public in the event of a radiological emergency. FEMA provided its most recent confirmation of reasonable assurance to the NRC on February 28, 2000, following the ingestion exposure pathway exercise that was conducted by the State of New York on May 25-27, 1999.

In regard to your request that the NRC and Con Ed hold a public meeting to provide information to citizens in the surrounding communities, senior NRC management and staff held a meeting with Con Ed on March 1, 2000, at the IP2 site to discuss a number of issues related to the steam generator tube failure. The NRC staff responded to questions from the public at the conclusion of this meeting. On March 14, 2000, the senior NRC Region I and Headquarters staff conducted a public meeting at the Peekskill Armory in Peekskill, New York. The purpose of this meeting was to provide the public with information regarding the event at IP2 and to answer their questions and concerns. The NRC is planning to hold another meeting at the IP2 site to discuss the readiness of IP2 to restart. This meeting will be held shortly before the