

June 6, 2003

The Honorable Nita M. Lowey
United States House of Representatives
Washington, D.C. 20515

Dear Congresswomen Lowey:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to the May 2, 2003, letter you, Representative Engel, and Representative Hinchey sent to the NRC regarding the emergency evacuation plans for the Indian Point nuclear power plants. In your letter, you requested that the NRC initiate a review of the Indian Point offsite emergency response plans because the Federal Emergency Management Agency (FEMA) has not yet made a determination on the adequacy of the plans.

As you know, Federal oversight of radiological emergency planning and preparedness associated with commercial nuclear facilities involves both FEMA and NRC. While NRC has overall responsibility, FEMA takes the lead in reviewing and assessing offsite planning and response and in assisting State and local governments. NRC reviews and assesses the licensee's onsite planning and response. We work closely with and support FEMA in its assessment of offsite emergency preparedness.

Federal evaluation of emergency preparedness is an ongoing process. Earlier this year, FEMA provided the final exercise report for the Indian Point biennial exercise conducted in September 2002 and updated its review of emergency response plans that were revised in 2002. In the report, FEMA identified a number of areas requiring corrective action, but did not identify any issues that would preclude protection of public health and safety. FEMA identified information it needed from the State and counties in order to provide an up-to-date review of the emergency plans. FEMA had requested this information by May 2, 2003.

There are established Federal the criteria for determining whether offsite plans and preparedness provide reasonable assurance that appropriate measures can and will be taken to adequately protect the public in the event of a radiological emergency. FEMA is currently reviewing State and county documents, as well as other information, to make this determination for Indian Point. If FEMA should find that the plans do not provide reasonable assurance of adequate protection, we will review those findings in conjunction with our assessment of the emergency plans and make the final determination regarding reasonable assurance at the Indian Point Energy Center. We are closely monitoring the steps being taken by FEMA, the State, counties, and the plant operator, Entergy, to address the concerns at Indian Point. We believe it remains appropriate to adhere to this well-established process, particularly in light of the fact that no deficiencies were identified in the September 2002 exercise.

NRC continues to provide close oversight of plant activities, including implementation of enhanced security measures, to assure the plant is operated safely. Thank you for your continued interest in the safety and security of Indian Point. If you have further questions, please contact me.

Sincerely,

/RA/

Nils J. Diaz

June 6, 2003

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

Dear Congressmen Hinchey:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to the May 2, 2003, letter you, Representative Engel, and Representative Lowey sent to the NRC regarding the emergency evacuation plans for the Indian Point nuclear power plants. In your letter, you requested that the NRC initiate a review of the Indian Point offsite emergency response plans because the Federal Emergency Management Agency (FEMA) has not yet made a determination on the adequacy of the plans.

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Nils J. Diaz

June 6, 2003

The Honorable Eliot L. Engel
United States House of Representatives
Washington, D.C. 20515

Dear Congressmen Engel:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to the May 2, 2003, letter you, Representative Lowey, and Representative Hinchey sent to the NRC regarding the emergency evacuation plans for the Indian Point nuclear power plants. In your letter, you requested that the NRC initiate a review of the Indian Point offsite emergency response plans because the Federal Emergency Management Agency (FEMA) has not yet made a determination on the adequacy of the plans.

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