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To: Miller, R.

AUTHOR: Hilliary Clinton

AFFILIATION: SEN

ADDRESSEE: Joseph Picciano

SUBJECT: Express concern with the Federal Emergency Management Administration's (FEMA) delay in its decision regarding the effectiveness of the emergency response plans for the Indian Point nuclear power plant.....

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NOTES: cc: Chairman Diaz

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HILLARY RODHAM CLINTON

NEW YORK

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# United States Senate

WASHINGTON, DC 20510-3204

May 2, 2003

Mr. Joseph F. Picciano  
Acting Regional Director  
Federal Emergency Management Agency  
Region II  
26 Federal Plaza  
New York, New York 10278

Dear Mr. Picciano:

I am writing to express my concern with the Federal Emergency Management Administration's (FEMA's) delay in its decision regarding the effectiveness of the emergency response plans for the Indian Point nuclear power plant in Buchanan, New York. I feel strongly that continued and open-ended delay is unacceptable on an issue this critical. I would therefore like to request that FEMA immediately provide me with information on what steps have been or are being taken to ensure that the safety of those around the plant is being adequately protected. I would also like to be given a date certain on which FEMA will render its decision regarding the effectiveness of the emergency response plans.

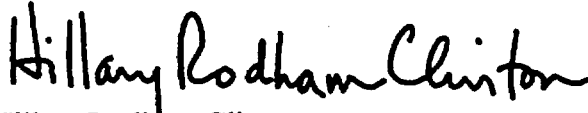
In your February 21, 2003 letter to the New York State Emergency Management Office, you stated, "If the State of New York, as previously requested, can provide updated plans on or before May 2, 2003, then this decision will be re-evaluated. If, in the event the State is unable to do so, in my capacity as Acting Regional Director, I will proceed with advising FEMA headquarters that I cannot provide a recommendation of reasonable assurance that the State and local plans are adequate to protect the health and safety of the public. In this event, FEMA headquarters would notify the Nuclear Regulatory Commission (NRC) and the Governor of New York State of the decision."

I now understand that rather than adhering to the process laid out in your previous letter, FEMA intends to further delay any decision with respect to the emergency response plans until some undetermined, future date. It would seem that the more than two months that were already granted for the gathering of additional information should have been more than adequate, and that the time has come to take the necessary and appropriate steps to ensure the adequacy of these emergency response plans. The families that live, work, and send their children to school around the Indian Point nuclear facility deserve no less.

The State of New York took the positive step of hiring an outside consultant, Witt Associates, to conduct a comprehensive and independent review of emergency preparedness for the areas of New York State around the Indian Point nuclear power plant. The report found that overall, the current response system and capabilities are not adequate. These findings should be taken seriously and should be addressed, and I urge FEMA to take the necessary steps to do so.

Thank you for your consideration of this matter. I am prepared to provide any assistance that may be useful in moving this process forward as quickly as possible and ensuring that the health and safety of the communities around Indian Point are adequately protected. I look forward to receiving your response to my inquiries in a timely manner.

Sincerely yours,

  
Hillary Rodham Clinton

CC: The Honorable Mike Brown  
Undersecretary for Emergency Preparedness and Response  
United States Department of Homeland Security

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Dr. Nils J. Diaz  
Chairman  
Nuclear Regulatory Commission