

September 15, 2004

The Honorable Hillary Rodham Clinton
United States Senate
Washington, D.C. 20510

Dear Senator Clinton:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am writing in response to your letter dated July 13, 2004, expressing concern over transmission quality, radio interoperability, and specifically, the number of radio frequencies available to emergency responders in Westchester County, New York. The Commission recognizes the importance of communications in responding to an emergency, especially when such communications support emergency first responders. I understand that our respective staffs and Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA) staff have been working constructively to address mutual communications concerns. Communications need to be reliable, well-coordinated and operate as effectively as possible through the use of an adequate number of individual or shared frequencies, supported by clear reception.

As identified in my March 22, 2004 letter to you, NRC has examined a number of emergency preparedness issues at the Indian Point Nuclear Power Plant. While DHS/FEMA has responsibility for off-site issues around nuclear power plants and the NRC has regulatory responsibility for on-site issues, there are many emergency planning and preparedness issues that are of mutual interest to the NRC and DHS/FEMA. The Commission believes that coordination among NRC, DHS/FEMA, and other Federal agencies; licensees; and State and local governments is an element of appropriate planning and an effective response.

The NRC staff has contacted counterparts at DHS/FEMA on this issue. We have requested that DHS/FEMA review the concerns expressed in your letter and provide you and the NRC the results of their review. Though the NRC is not charged with direct responsibility on such issues as radio interoperability and establishing the appropriate number of individual and shared radio frequencies, we have offered DHS/FEMA our full support in moving toward an acceptable communications network and operating capability. We would be pleased to work with your staff and FEMA staff to further coordinate and clarify these issues.

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As you may know, NRC will be holding a meeting on emergency preparedness and security for local officials from the communities surrounding Indian Point. We are planning to schedule this meeting for the last quarter of 2004 at a central location in Westchester County.

If you have any further questions or comments, please feel free to contact me.

Sincerely,

/RA/

Nils J. Diaz

cc: Michael Brown, DHS/FEMA