

EDO Principal Correspondence Control

FROM: DUE: 10/04/05 EDO CONTROL: G20050654  
DOC DT: 09/21/05  
FINAL REPLY:

Sen. Charles E. Schumer

TO:

Chairman Diaz

FOR SIGNATURE OF : \*\* PRI \*\* CRC NO: 05-0468

Chairman

DESC:

ROUTING:

Concerns Belated Announcement of a Leak from  
Hairline Cracks in the Spent Fuel Pool at Indian  
Point 2

Reyes  
Virgilio  
Kane  
Silber  
Dean  
Cyr/Burns  
Dyer, NRR

DATE: 09/22/05

ASSIGNED TO: CONTACT:  
RI Collins

SPECIAL INSTRUCTIONS OR REMARKS:

~~SE~~ Template: SECY-017

ERids: SECY-01

**OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET**

*Date Printed: Sep 22, 2005 13:34*

**PAPER NUMBER:** LTR-05-0468  
**ACTION OFFICE:** EDO

**LOGGING DATE:** 09/22/2005

**AUTHOR:** SEN Charles Schumer  
**AFFILIATION:** CONG  
**ADDRESSEE:** Nils Diaz

**SUBJECT:** Concerns belated announcement of a leak from hairline cracks in the spent fuel pool of the Indian Point 2 nuclear reactor

**ACTION:** Signature of Chairman  
**DISTRIBUTION:** RF, OCA to Ack

**LETTER DATE:** 09/21/2005

**ACKNOWLEDGED** No

**SPECIAL HANDLING:** Comr. Correspondence

**NOTES:** Advanced copy to the EDO

**FILE LOCATION:** ADAMS

**DATE DUE:** 10/06/2005

**DATE SIGNED:**

# United States Senate

WASHINGTON, DC 20510

September 21, 2005

*Advance*

The Honorable Nils J. Diaz  
Chairman  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
Fax: 301-415-8571

Dear Chairman Diaz:

I am writing to express my dismay at the belated announcement this week of a leak from hairline cracks in the spent fuel pool of the Indian Point 2 nuclear reactor in Buchanan, NY. To ensure the security of the plant and to maintain the confidence of nearby residents, it is imperative that the special inspection now underway by the NRC be extremely thorough, prompt, and as public as security issues will permit. I also ask that the NRC and Entergy hold a public meeting in Westchester once the special inspection is completed to discuss the results and answer questions from the public.

Because of its location and its history of leaks under the previous owner, Con Edison, Indian Point 2 and its related operations needed, and have received, heightened scrutiny. Indian Point 2 was, in fact, the first nuclear power facility in the country to be issued a "red finding" from the NRC because of operational and maintenance problems. The current owner, Entergy, has invested millions of dollars in improvements and Indian Point has been removed from the "red finding" designation. But this record makes it crucial for the NRC and Entergy to remain extremely vigilant and exceptionally thorough in tracing and correcting even minor problems at the plant.

On a related matter, I am disappointed by the delay in notifying the public and elected officials about the spent fuel pool leak, which Entergy told the NRC about on September 2<sup>nd</sup>. Although your initial evaluation is that the leak posed no hazard to plant employees or Westchester residents, the failure to make the leak public is a throwback to the bad old days of secrecy and lack of accountability that I worked with Entergy and the NRC and others to change. Operating a nuclear power plant in the heart of a densely populated urban area requires an exceedingly high level of public communication, cooperation and coordination. It is unfortunate that this standard was not met in the disclosure of the spent fuel pool leak. Please inform me about what steps NRC and others are taking to ensure better, faster communication from now on.

PLEASE RESPOND TO THE FOLLOWING OFFICE:

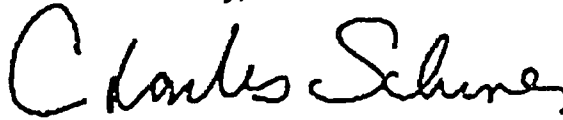
<input type="checkbox"/> ALBANY: LEG. COUNCIL BUILDING ROOM 430 ALBANY, NY 12207 (518) 431-4273	<input type="checkbox"/> BINGHAMTON: FEDERAL OFFICE BUILDING 12 HENRY STREET ROOM B3 BINGHAMTON, NY 13901 (607) 772-2125	<input type="checkbox"/> BUFFALO: 111 WEST MICHIGAN ROOM 623 BUFFALO, NY 14202 (716) 848-4111	<input type="checkbox"/> HUDSON VALLEY: P.O. BOX A RED HOOK, NY 12571 (914) 255-3741 (914) 565-0523	<input type="checkbox"/> LONG ISLAND: TWO GREENWAY PLAZA 145 FINE LANE ROAD ROOM 300N MELVILLE, NY 11747 (516) 753-0578	<input type="checkbox"/> NEW YORK CITY: 757 THIRD AVENUE SUITE 1752 NEW YORK, NY 10017 (212) 909-4130 TDD: (212) 400-7507	<input type="checkbox"/> ROCHESTER: 130 STATE STREET ROOM 3040 ROCHESTER, NY 14614 (716) 240-2801	<input type="checkbox"/> SYRACUSE: 100 SOUTH CLINTON ROOM 841 SYRACUSE, NY 13201 (315) 425-3471	<input type="checkbox"/> WASHINGTON: 313 HART SENATE CHAMBER BUILDING WASHINGTON, DC 20510 (202) 224-0542 TDD: (202) 224-0425
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<http://schumer.senate.gov>

I look forward to hearing from you on these matters. If there are any questions, please do not hesitate to contact my Hudson Valley Regional Director Jean Bordewich at 845-758-9741.

Sincerely,

A handwritten signature in black ink, reading "Charles Schumer". The signature is written in a cursive style with a large, prominent "C" at the beginning.

Charles E. Schumer  
United States Senator