

September 12, 2006

The Honorable Sue W. Kelly
United States House of Representatives
Washington, D.C. 20515

Dear Congresswoman Kelly:

I am writing in response to your letter dated August 2, 2006. In that letter, you conveyed concerns regarding the failure of the Indian Point alert and notification system (ANS) on that date and requested the Nuclear Regulatory Commission (NRC) to take all necessary actions to prevent recurrence. You expressed concern that a similar malfunction in the new siren system being installed by Entergy, the Indian Point licensee, could defeat the capability of activating the sirens during an actual emergency. You also expressed concern regarding the time delay in Entergy's notification of the State and local emergency response officials following the failure.

I understand your concerns, especially the time delay in Entergy's notification of the State and local emergency response officials following the failure. The NRC considers emergency notification to be an important part of protecting public health and safety. The NRC has increased the level of inspection at Indian Point to provide expanded oversight of Entergy's short-term and long-term corrective actions to improve the ANS availability and reliability. The Commission expects Entergy to continue to implement appropriate actions to address identified system problems with the existing ANS while the new system is being installed. You have my assurance that the adequacy of these actions will be evaluated as part of our expanded oversight.

The NRC has learned that the cause of the August 2, 2006 ANS outage was a combination of computer software and hardware malfunctions. Although elements of the existing system are redundant, this unique failure temporarily disrupted system operability. The design of the new ANS includes redundant and independent features such as multiple computers, transmitters, communications, and power supplies. These features will significantly reduce the likelihood of a failure similar to the August 2, 2006 occurrence.

When the ANS malfunctioned at approximately 12:00 a.m., on August 2, 2006, an alarm alerted Entergy personnel of the failure. After Entergy personnel performed troubleshooting to confirm that the sirens were inoperable, they notified the State and local emergency response officials at about 4:00 a.m. The system was returned to service at approximately 6:30 a.m. that morning. If the sirens were to fail to operate in an actual emergency situation, backup route alerting would be employed to alert the public of the emergency condition and to advise the public to tune to TV and radio stations for further information and instructions. Since this event, Entergy has agreed to notify county officials upon first indication of an ANS problem without waiting to confirm system inoperability.

The Commission appreciates and shares your strong interest in protecting the citizens who live in the communities surrounding Indian Point. We will continue to closely monitor Entergy's efforts to maintain and upgrade the ANS in the future.

Sincerely,

/RA/

Dale E. Klein