



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
WASHINGTON, D.C. 20555-0001

May 13, 2015

Kristin Welch
183 Hoover Road
Rochester, NY 14617

Dear Ms. Welch:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your March 30, 2015 letter to NRC Chairman Stephen Burns in which you urged the agency to deny the Indian Point Nuclear Generating Units 2 and 3 (IP2 and IP3) license renewal application. Specifically, you wrote that you are concerned with cooling system impacts, planned and unplanned releases of radioactive effluents, severe accident risk, emergency preparedness, the ability of IP2 and IP3 to withstand an earthquake, and possible alternative energy sources.

Before I respond to your specific concerns, please let me assure you that the NRC takes its mission of ensuring public health and safety very seriously. Consistent with this mission, the NRC conducts a thorough review of each license renewal application to ensure that a nuclear power plant operator will continue to operate the plant safely and in accordance with the plant-specific licensing basis during the term of a renewed license. The NRC's review of a license renewal application consists of both a safety review and an environmental review. The NRC safety review provides reasonable assurance that the effects of aging on passive, long-lived systems, structures, and components will be adequately managed during the period of extended operation. The NRC environmental review evaluates the impacts from continued operation of a nuclear power plant to determine whether or not the adverse impacts of license renewal are so great that preserving the option of license renewal for energy planning decision makers would be unreasonable. In addition to (and separate from) the license renewal process, the NRC maintains a rigorous inspection and oversight process for all NRC-licensed facilities. This ongoing oversight and inspection process looks at a licensee's compliance with NRC's regulations, which include: plant safety (routine and accident scenarios), radiation protection (for both plant workers and members of the public), planned and unplanned radioactive effluent releases, radiological environmental monitoring, emergency preparedness, radioactive waste storage and transportation, quality assurance, and training. As part of this oversight process, the NRC evaluates any new information to determine if any changes are needed at existing plants. The NRC has full authority to take whatever action is necessary to protect public health and safety.

The NRC staff's evaluation of the environmental impacts of the proposed IP2 and IP3 license renewal is documented in a final supplemental environmental impact statement (FSEIS), which was published in December 2010 as Supplement 38 to NUREG-1437, "Generic Environmental Impact Statement for License Renewal of Nuclear Plants." This document is located in the NRC's Agencywide Documents Access and Management System (ADAMS). The accession numbers are ML103350405 (Volume 1), ML103350438, ML103360209, ML103360212 (Volume 2), and ML103350442 (Volume 3). Based on its review, which included an evaluation of cooling system impacts, planned and unplanned releases of radioactive effluents, and severe accident

risk, the NRC staff recommended that “the Commission determine that the adverse environmental impacts of license renewal for IP2 and IP3 are not so great that preserving the option of license renewal for energy planning decision makers would be unreasonable.” In June 2013, the NRC staff published a supplement to the FSEIS (ML103350442) and intends to issue a second supplement to the FSEIS that will address new information the staff has identified since the NRC published the first supplement in June 2013. In the upcoming second supplement, the NRC staff will evaluate new information about impacts from the operation of the IP2 and IP3 cooling system, as well as the impacts from radioactive releases on groundwater and terrestrial and aquatic biota. The NRC staff plans to issue a draft of the second supplement for public comment later this summer. I encourage you to review and comment on the draft second supplement during the public comment period. A schedule for issuance of the draft supplement can be found at:

<http://www.nrc.gov/reactors/operating/licensing/renewal/applications/indian-point.html>

The NRC also affords an opportunity for members of the public and interested governmental entities to request a hearing on the license renewal application. The State of New York and other entities requested a hearing on the IP2 and IP3 license renewal application, and adjudicatory proceedings on these and other issues are in progress at this time. Many of the concerns cited in your letter were raised by the State of New York and other parties, and have been addressed as part of the hearing process (e.g., consideration of alternative energy sources, the release of radioactive effluents into groundwater, and severe accident risks).

The NRC will not make a final determination on the proposed IP2 and IP3 license renewal until the NRC staff completes its review of the application and the related adjudicatory hearing process is complete. The NRC will make a decision to grant or deny license renewal based on whether the applicant has demonstrated that it will meet the agency’s regulations during the period of extended operation. The decision to seek a renewed license or to continue to operate after a renewed license has been granted is outside of the NRC’s purview. Such decisions are made by the applicant and appropriate energy-planning decision makers, such as the State, and, where authorized, certain Federal agencies (other than the NRC). While the NRC considers the availability of alternative energy sources as part of its evaluation of the environmental impacts of license renewal, any decision to pursue those alternatives rests with the applicant and other governmental authorities.

With regard to evacuations in the event of a severe accident, the NRC and the Federal Emergency Management Agency have determined there is reasonable assurance that adequate protective measures can and will be taken in the event of an emergency, as required by NRC regulations. This determination is reevaluated on an ongoing basis, and emergency preparedness exercises are conducted regularly with participation by State, local, and Federal officials to assure the continued adequacy of emergency preparedness, including planning for evacuations and other protective measures.

Regarding your concern about seismic risk at IP2 and IP3, the Consolidated Appropriations Act, Public Law 112-074, 125 Stat. 786, was signed into law on December 23, 2011. Section 402 of the law directs the NRC to require reactor licensees to reevaluate the seismic, tsunami, flooding, and other external hazards at their sites against current applicable Commission requirements and thereafter, when appropriate, as determined by the Commission, and to demonstrate that the design basis of their reactors meets applicable license and regulatory requirements. In 2012, the NRC required all licensees to reevaluate the seismic hazards at

their sites, using updated seismic information and present-day regulatory guidance and methodologies. The purpose of that request was to gather information to update the seismic hazards analysis to enable the NRC staff to determine whether individual site licenses should be changed.

For those nuclear power plants where the reevaluated seismic hazard exceeds the seismic design basis, the NRC required licensees to implement interim seismic evaluations to demonstrate if the plant can cope with the higher seismic hazard, while longer-term seismic risk evaluations are ongoing. The goal of the long-term risk evaluations is to determine if there is sufficient seismic safety margin for beyond-design-basis ground motion so that NRC can make appropriate risk-informed decisions. Entergy Nuclear Operations, Inc. submitted its interim seismic evaluation for IP2 and IP3 on December 22, 2015; the NRC staff is currently reviewing that evaluation. The NRC expects Entergy to complete its long-term seismic risk evaluation by June 30, 2017. Because seismic issues pertain to current operations under existing licenses, as well as operations under any renewed license, they are being addressed outside of the license renewal process, and the results will apply to both current licenses and any renewed license.

I hope that I have addressed your concerns.

Sincerely,

/RA/

Michael Wentzel, Project Manager
Projects Branch 2
Division of License Renewal
Office of Nuclear Reactor Regulation

Docket Nos. 50-247 and 50-286

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Michael Wentzel, Project Manager
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***concurred via email**

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Letter to Kristin Welch from Michael Wentzel dated May 13, 2015

SUBJECT: RESPONSE TO KRISTIN WELCH

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