

May 27, 2011

Ms. Sandy Galef  
New York State Assemblywoman  
Room 641, Legislative Office Building  
Albany, New York 12248

Dear Assemblywoman Galef:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated March 22, 2011, which was addressed to NRC Chairman Gregory Jaczko. Your letter raised a number of questions regarding recent events at the Fukushima Daiichi nuclear station in Japan and their potential implication on the continuing safety of the Indian Point Energy Center located in your district. In your letter, you requested a meeting in the Indian Point area to address questions that are arising from the recent events in Japan, most specifically its ability to withstand a seismic event and to cope with a loss of onsite and offsite electrical power, as well as the adequacy of emergency preparedness around the site.

At this time, the NRC is still gaining and validating information on the details of the events in Japan. The NRC staff is currently implementing the Commission's March 23 direction to conduct a methodical and systematic review of our processes and regulations to determine whether the agency should make additional improvements to our regulatory system under the auspices of a senior level task force. This activity will have both near-term and longer-term components.

For the near-term effort, the task force is midway through a 90-day review. This review will evaluate all of the currently available information from the Japanese events to identify immediate or near-term operational or regulatory issues that could potentially affect the 104 operating reactors in the U.S., including their spent fuel pools. Areas of investigation include the ability to protect against natural disasters, response to station blackouts, severe accidents and spent fuel accident management, radiological consequence analysis, and emergency preparedness issues. By the end of this 90-day period, the NRC staff will develop recommendations, as appropriate, for enhancements to inspection procedures and licensing review guidance, and will recommend whether generic communications, orders, or other regulatory actions are needed. On April 28, the senior level task force conducted a briefing of the Commission to provide an early snapshot of the status of the task force's activities based on information available at that time. Another briefing is planned for June 16.

The task force's longer-term review will begin as soon as the NRC staff has sufficient technical information from the events in Japan, with a goal of commencing its review no later than the completion of the 90-day near-term report. The task force will evaluate technical and policy issues related to the events to identify any additional potential research, generic issues, changes to the reactor oversight process, rulemakings, and modifications to the regulatory framework that should be considered by the NRC. A report with appropriate recommendations will be provided to the Commission within approximately 6-9 months after the start of this evaluation. Both the 90-day and final reports will be made publicly available in accordance with normal Commission processes as well as provided to the Commission's Advisory Committee on Reactor Safeguards for its independent review.

**CORR-11-0050**  
**Commission Correspondence**

We also are currently pursuing other actions to help assure the continued safety of nuclear power plants. Specifically, we recently completed inspection activities to independently assess a voluntary effort by nuclear power plant licensees to verify that their capabilities to mitigate conditions that could result from rare events such as a total loss of electrical power and severe natural events, including the loss of significant operational and safety systems, are in effect and operational. We are finalizing the results of a second inspection activity intended to assess the current state of licensee severe accident management guidelines, which are procedures that are used to deal with very unique and rare situations such as those that occurred in Japan. We have also issued an Information Notice to our licensees to make them aware of the effects that the earthquake and tsunami had on nuclear power plants in Japan with the expectation that recipients would review the information for applicability to their facilities and consider actions to avoid similar problems. On May 11, 2011, the NRC also issued NRC Bulletin 2011-01, "Mitigating Strategies", to gain additional information on licensee strategies for dealing with certain severe events onsite.

In your letter, you provided a number of questions specific to the Indian Point Energy Center and requested that we organize a public meeting in the area to answer these and other related questions. During the Indian Point Annual Assessment Meeting scheduled for June 2, 2011, we intend to address such questions. In addition, Chairman Gregory Jaczko visited Indian Point on May 10 with United States Representatives Lowey and Engel to get a firsthand look at Indian Point and to discuss pertinent issues with the representatives and the licensee. He also met with the County Executives from the four counties surrounding Indian Point for a similar discussion later that day. A Government-to-Government meeting is also scheduled for June 1, 2011, to further convey information on the subject areas you questioned and to answer additional questions from elected and appointed officials in the area surrounding Indian Point. My understanding is that a member of your staff will be in attendance.

I greatly appreciate your shared interest in the health and safety of the public in the vicinity of Indian Point. At this time, NRC review of available information on the events in Japan has led the NRC to conclude that nuclear plants in this country, including Indian Point, continue to operate safely and that existing NRC regulations provide reasonable assurance of adequate protection of public health and safety.

I assure you that the NRC is very interested in learning all that we can regarding the significant events in Japan and how we might use that information to ensure the continued safety of U.S. nuclear power plants.

S. Galef

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I hope this letter suitably addressed your concerns and we look forward to our forthcoming meetings. If you have any additional questions, please contact Nancy McNamara of my staff at (610) 337-5337.

Sincerely,

/RA/

William M. Dean  
Regional Administrator



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SANDRA R. GALEF  
Assemblywoman 90<sup>th</sup> District

March 22, 2011

Gregory Jaczko  
Chairman  
U. S. Nuclear Regulatory Commission  
11555 Rockville Pike, Mail Stop O-16G4  
Rockville, MD 20852

Dear Chairman Jaczko,

As you continue to evaluate the catastrophic damage from which Japan is trying to recover, I understand you are also evaluating lessons for the U.S., specifically how the impact of natural disasters relates to emergency plans for our own nuclear power plants. The power plant in our country which your organization has rated most at risk for core damage from an earthquake, Indian Point, sits squarely in the center of the 90<sup>th</sup> New York State Assembly District, which I represent.

I have already placed a call to the Commission asking for a meeting with elected officials in the area. Now I would also respectfully request that you organize a public meeting in my area to address some of the questions that are arising as the disaster in Japan continues to play out. These questions include:

- What is the status of the seismic risk at Indian Point? I understand it has changed, so I would like to know what potential impact the two fault lines that are now known to be there could have in a worst case scenario, and if the power plant is prepared for such a disaster.
- What, if any, are the risks of a tsunami in the area? What would the impact be on Indian Point?
- What type of protection of the spent fuel rod pools is there at Indian Point? What kind of an emergency could compromise that protection?
- I understand the electricity responsible for cooling the spent fuel rod pools is dependent on the electrical grid? Should there be a requirement that it have independent back up as well?
- Where are we in terms of a timeline to eventually rid the Buchanan site of these rods?
- In the interim, are we at greater risk because we are trying to maximize use of the small space that is available for the spent fuel rods? Is the cask plan an effective interim?
- How many hours of back up do we have in the event of an electrical outage?
- How many hours of independent protection can the plant offer?
- What is the condition of the underground pipes that supply Indian Point? What effect have minor quakes had on those pipes, and what would happen in the event of a worse quake?
- How would an evacuation plan of a 50 mile radius around Indian Point be realized if we are not even sure that the plan for a 10 mile radius is feasible?
- What are we learning about our own evacuation plans as we evaluate Japan?

I look forward to the NRC responding to these questions, as well as hearing back from you in response to my request for a public meeting to address these and other safety concerns. Thank you for your kind attention to my requests.

Sincerely,

Sandra Galef, NYS Assemblywoman, 90<sup>th</sup> A.D.

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SANDRA R. GALEF  
Assemblywoman 80<sup>th</sup> District

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