EDO Principal Correspondence Control

FROM: DUE: 08/04/00

EDO CONTROL: G20000359
DOC DT: 07/19/00
FINAL REPLY:

Rep. Maurice D. Hinchey

TO:

Chairman Meserve

FOR SIGNATURE OF : ** PRI ** CRC NO: 00-0486

Chairman Meserve

DESC:

Concerns re Indian Point Restart and Replacement of Steam Generators

ROUTING:

Travers
Paperiello
Miraglia
Norry
Craig
Miller, RI
Burns/Cyr

DATE: 07/25/00

ASSIGNED TO: CONTACT:

NRR Collins

SPECIAL INSTRUCTIONS OR REMARKS:

REF: G20000183

Template SECY-017

E-RIDS SECY-01

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

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ACTION OFFICE:	EDO		
AUTHOR:	MAURICE HINCHEY		
AFFILIATION:	REP		
ADDRESSEE:	RICHARD MESERVE		
SUBJECT:	REF COMM CORRES DATED 6/13/2000---INDIAN POINT...ADDL CONCERNS REGARDING RESTART		
ACTION:	Signature of Chairman		
DISTRIBUTION:	CHAIRMAN, COMRS, OGC, RF OCA TO ACK		
LETTER DATE:	07/19/2000		
ACKNOWLEDGED	No		
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NOTES:			
FILE LOCATION:	ADAMS		
DATE DUE:	08/07/2000	**DATE SIGNED:**	

MAURICE D. HINCHEY
26TH DISTRICT, NEW YORK

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July 19, 2000

Honorable Richard A. Meserve
Commissioner and Chairman
U. S. Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, Md. 20852

Dear Chairman Meserve:

I want to personally thank you for your June 13, 2000 response to my letter about Indian Point 2 and your assurances that Consolidated Edison must demonstrate that the steam generators meet NRC requirements before Indian Point 2 (IP 2) approval to restart is granted. However, it is not obvious to me that all four steam generators will be replaced before the plant is permitted to start up. Is it your intent to allow IP 2 to restart with the existing degraded four steam generators?

Since we are both concerned about safety in this heavily populated area, it seems reasonable to factor in heightened scrutiny in the review of safety questions, especially after an accident that resulted in an alert. And we both know that crucial safety components like the reactor pressure vessel, reactor coolant lines and steam generators were initially designed to last the 40-year lifetime of the power plant. When parts of a steam generator degrade or fail prematurely, heightened concern in the name of safety should require not a patch-repair of a temporary nature—it should require a fix guaranteed to last 40 years and beyond. We know that this fix requires a replacement of all four steam generators with upgraded models.

There is another latent concern with permitting IP 2 to operate with the existing degraded steam generators. The possibility of continued degradation or failure of the steam generator tubes is quite real. Radioactive contamination from the reactor coolant system will continue to leak into the secondary side through the steam generators and ultimately into the surrounding reactor community. To minimize the amount of the leakage, replacement steam generators are necessary. The new steam generators will permit the plant to operate "cleaner" with less radioactive contamination than that of the degraded steam generators. This change has the positive effect of enhancing both perceived and actual public health and safety.

The AIT Report of April 28, 2000 concluded that there was no measurable radioactivity released to the environment because of the Feb. 15, 2000 accident. Yet conflicting radiation measurements on Feb. 16 indicate that there was some residual radioactivity measured at a steam dump valve used in the steam line of the failed steam generator. In addition, the availability and reliability of some of the radiation detectors, which measured radiation continuously at 15-minute

intervals during the event, seem to be questionable. For instance, Attachment 4 indicates that only 6 of 16 pressurized ion chambers (PICs) responded to a computer query during one 15-minute interval. Contrarily, at p. 22 of the report, 10 out of 16 PICs are documented to have responded with data during the event. It cannot be determined from the report the quantity of PICs that provided data every 15 minutes during the duration of the event. Furthermore, the sectors where the non-responding PICs are located are not identified. The high failure rate of the PICs also raises questions about radiation measurement accuracy. It seems that all radiation detectors are owned and operated by Con Ed. On the basis of the information in the report it is not obvious that meaningful radiation information was obtained. Were all radiation measuring devices operable and properly calibrated? What type of radiation was measured compared with the type of radiation that is known to have been released? What are NRC requirements for these radiation-measuring devices? Lastly, what is the highest possible release of radiation that could have escaped during the event that would be consistent with the readings recorded by the radiation detectors in and around the plant? Essentially how does NRC independently know that public health and safety are being protected from adverse radiation effects when NRC has no radiation detectors of its own and has no independent way to measure radioactive emissions from the plant?

Your letter notes that the FEMA Report of December 1, 1998 concluded that there was a satisfactory demonstration of exercise objectives including protective actions for school children and traffic and access control. From a practical perspective, I question how a drill which uses hypothetical children and vehicular traffic on a very small scale can be deemed satisfactory considering the population density in the area. It seems absurd to allow decisions affecting public health and safety to be based on a scenario controlled by professionals that lacks the participation of citizens in the reactor communities. When does the NRC plan to complete a review of the FEMA Reports included in your letter? Please provide me with the standards and a copy of NRC's review. If possible, please explain why there is a 10-mile plume pathway and a 50-mile ingestion pathway. Shouldn't the plume pathway evacuation go the full 50 miles?

A plume exposure pathway exercise was most recently conducted in June 1998. Your letter indicates that such exercises are conducted every two years. Another exercise is imminent. It would be prudent to schedule the exercise in a matter that would permit full public participation. The reasonableness, effectiveness, and practicality of the evacuation plan need to be determined.

I have information that the inspector general is investigating various matters surrounding the recent Feb. 15, 2000 accident at IP 2. To the extent that his investigation involves safety issues, we both should agree that IP 2's restart should not commence until after his report is completed and the safety issues are resolved.

Your letter states that Con Ed plans to send me a copy of the UFSAR on CD-ROM. When is this delivery scheduled?

Your letter also states that NRC has not received a request for a transfer of IP 2's license. My concern is that a possible sale of IP 2 to private ownership could adversely impact safety during attempts to earn a profit from plant operation. Con Ed is a state regulated utility. Private owners are not equivalently regulated. Accordingly, I seek your assurances that all outstanding safety issues are

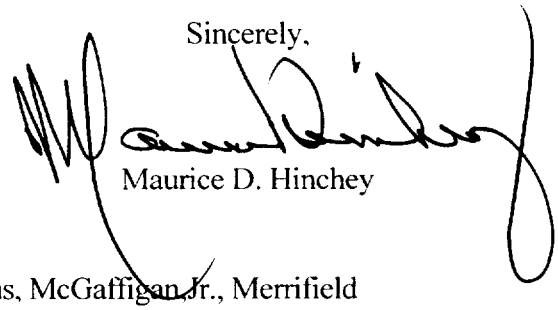
resolved before any future sale is permitted in a state where deregulation is being aggressively pursued.

In conclusion, in the interest of protecting public health and safety in a heavily populated area, all four steam generators at IP 2 should be replaced and a plume exposure pathway exercise with public participation should be held before IP 2 is permitted to restart.

Please inform me at your earlier convenience of the timelines for NRC action in the areas identified in this letter. Thank you for your attention to these matters.

Best wishes.

Sincerely,



Maurice D. Hinchey

Cc: Commissioners Diaz, Dicus, McGaffigan, Jr., Merrifield