

September 26, 2000

The Honorable Maurice D. Hinchey
United States House of Representatives
Washington, D.C. 20515

Dear Congressman Hinchey:

I am writing to clarify a statement that was made in my June 13, 2000, letter to you regarding emergency planning for Indian Point. That letter states that in order to ensure that emergency plans are adequate, evaluated exercises are conducted every 2 years to test the integrated capability of the onsite and offsite emergency response organizations to assess and respond to a radiological emergency at a nuclear power plant. This general statement was made in the context of offsite emergency planning and preparedness for State and local government authorities. The statement was not intended to imply that the Indian Point 2 (IP2) licensee participates in an evaluated exercise every 2 years to test the integrated capability of onsite and offsite emergency response organizations.

U.S. Nuclear Regulatory Commission (NRC) regulations state that the offsite emergency plans for each site will be exercised biennially with the full (or partial) participation of each offsite authority having a role under the plans. NRC regulations also state that each licensee at each site will conduct an exercise of its onsite emergency plan every 2 years and that the onsite exercise may be included in the biennial full-participation offsite exercise. The NRC evaluates the performance of the licensee, while the Federal Emergency Management Agency (FEMA) evaluates the performance of the State and local authorities participating in these biennial exercises. Both licensees are in compliance with the requirement for a biennial exercise of their onsite plans. However, because there are two licensees at the Indian Point site, i.e., Consolidated Edison (Unit 2) and the New York Power Authority (Unit 3), the practice has been to alternate the onsite participation in the biennial offsite exercise evaluated by FEMA between the two licensees.

As you may be aware, the NRC has received a letter from the Union of Concerned Scientists and other petitioners dated June 29, 2000, which requests that, because the last full-participation exercise involving IP2 was conducted in June, 1998, IP2 be required to conduct a full-participation exercise of the onsite and offsite emergency plans before restart. The NRC is considering the petitioners' request. I will keep you informed of our decisions in this matter.

The question of exercise participation does not change the existing determination that NRC has made concerning the adequacy of emergency preparedness at Indian Point. Based on the NRC's assessment of the licensee's onsite emergency preparedness program and on FEMA's assessment of the adequacy of the offsite emergency response plans and preparedness for IP2, the NRC has found that there is reasonable assurance that appropriate measures would

be taken to protect the health and safety of the public in the event of a radiological emergency at the site. Notwithstanding this overall determination, our inspection efforts have identified several areas in the onsite emergency preparedness program which were in need of improvement. We have observed that the licensee is making progress on corrective actions to improve those areas that have been identified. We will continue to monitor the licensee's completion of appropriate corrective actions.

Sincerely,

/RA/

Richard A. Meserve