

April 30, 2001

Waterways Oversight Branch (CGD01-01-004)
Coast Guard Activities New York
212 Coast Guard Drive, Room 204
Staten Island, New York 10305

Subject: Proposed Rule "Safety Zone: Indian Point Nuclear Power Station, Hudson River"
Docket Number CGD01-01-004

Gentlemen:

This letter provides the comments of the Nuclear Regulatory Commission (NRC) on the subject proposed rule. We also discussed these comments with Lieutenants Mike Day and Rich Schachner of your office and with Liam Murphy in the Westchester County Office of Emergency Management.

There are five locations in the proposed rule that refer to the NRC role in activating the safety zone. The references should, instead, be to Westchester County and New York State to reflect correct local, State, and Federal emergency responsibilities. Please change the references to NRC in the following locations:

"Summary," last sentence

"Background and Purpose," first sentence.

"Discussion of Proposed Rule," first paragraph: second, third, and last sentences.

Please contact the Westchester County Office of Emergency Management at (914) 995-3026 for the specific wording preferable to the County and State. We also call your attention to the remark under "Background and Purpose" that the safety zone had already been established once. The context implies that it was established for a problem at the Indian Point Nuclear Power Station (IPNPS). Please correct this implication; for example, by changing the next sentence to read, "During this incident, *a train derailment unrelated to IPNPS*, a temporary safety zone was established ..."

We understand that this rulemaking would establish a permanent safety zone associated with the IPNPS emergency planning zone, and is being proposed to enhance the Coast Guard's capability to take quick and appropriate actions when called for in response to emergency events. We believe this is a worthwhile goal and one that appears to have national implications beyond Indian Point because many other nuclear power plants are located on navigable waterways and have arrangements with local Coast Guard units. Therefore, we recommend that this initiative be coordinated through Coast Guard headquarters with other Federal agencies that have emergency response roles under Federal response plans and meet regularly in interagency working groups.

Waterways Oversight Branch

- 2 -

If you have questions about the NRC role, please contact Joseph E. Himes at (301) 415-7564 or e-mail JEH1@nrc.gov.

Sincerely,

/RA/

Richard H. Wessman, Director
Incident Response Operations

cc: Capt. D. Westerholm, United States Coast Guard

If you have questions about the NRC role, please contact Joseph E. Himes at (301) 415-7564 or e-mail JEH1@nrc.gov.

Sincerely,

/RA/

Richard H. Wessman, Director
Incident Response Operations

cc: Capt. D. Westerholm, United States Coast Guard

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