

March 26, 2002

Ms. Katie A. Finn  
26 Stevenson Lane  
U. Saddle River, NJ 07458

Dear Ms. Finn:

I am responding to your letter of January 30, 2002, to U.S. Nuclear Regulatory Commission (NRC) Chairman Richard A. Meserve. In your letter you expressed concern about the safety of the Indian Point Nuclear Generating Unit Nos. 2 and 3 (IP2 and 3) in light of the September 11<sup>th</sup> terrorist attacks. You also expressed concern about the adequacy of the emergency preparedness plans for the area surrounding the plants and about the long-term handling of radioactive waste.

We understand that many of our fellow citizens are concerned that a U.S. nuclear facility could be a target of future terrorist attacks. In view of the recent unprecedented events, Chairman Meserve, with the full support of the Commission, has directed the staff to undertake a thorough review of our security regulations and procedures, including the basic assumptions of our current programs. This review involves coordination with U.S. national security organizations. The NRC recently issued Orders to all commercial nuclear power plants to implement interim compensatory security measures for the high-level threat environment. Some of the requirements formalize a series of security measures that NRC licensees had already taken in response to advisories issued by the NRC, and others are security enhancements which have emerged from the Commission's ongoing security review.

In regard to your suggestion that IP2 and 3 be shut down until the terrorist threat has subsided, we cannot rule out the possibility of future terrorist attacks on the Indian Point units; however, we believe that these facilities can continue to operate safely. Nuclear power plants are inherently robust. Their design is based on defense-in-depth principles, and includes many features to protect public health and safety. Reinforced containment buildings and redundant safety systems would allow trained operators to prevent or limit the release of radioactive material in the unlikely event of a terrorist attack or other disaster. In light of the facility's defense-in-depth design, the heightened security measures implemented in response to the events of September 11<sup>th</sup>, and the NRC's ongoing reevaluation of its safeguards regulations and programs, we do not consider the immediate closure of IP2 and 3 to be necessary to provide adequate protection for the public health and safety.

In regard to your concerns about the handling of radioactive waste, most high-level waste for commercial plants is kept in spent fuel pools on the plant site. These pools are designed to high standards and are subject to inspection by the NRC. Both the NRC and the Department of Energy are currently working on a permanent solution to the problem of long-term disposal of high-level nuclear waste.

In regard to your concerns about the adequacy of the emergency plan for the area surrounding IP2 and 3, the State of New York, in late January 2002, issued its annual letter of certification to

K. Finn

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the Federal Emergency Management Agency (FEMA). By this letter, the State informed FEMA that specific preparedness activities had been completed, including training and updating of State and local plans; however, the updating of State and local plans is an ongoing activity.

In your letter you state that the area being serviced by IP2 and 3 has a surplus of energy. The NRC's primary mission is to ensure public health and safety. We do not directly control energy generation and distribution. If you have concerns in this area, you may wish to raise them with the New York State Public Utilities Commission.

I trust that this letter addresses your concerns. Thank you for writing to us about this important matter. If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

*/RA/*

Elinor G. Adensam, Director  
Project Directorate I  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

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*/RA/*

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