

**CORR: 00-0103-REVISION 2**

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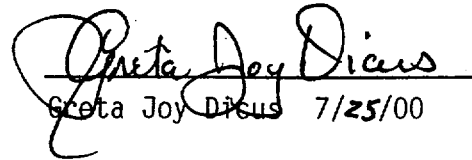
## COMMISSION CORRESPONDENCE

### Correspondence Response Sheet

**Date:** July 24, 2000

Approve with edits.

**To:** Chairman Meserve  
Commissioner Dicus  
Commissioner Diaz  
Commissioner McGaffigan  
Commissioner Merrifield

  
Greta Joy Dicus 7/25/00

**From:** Annette Vietti-Cook, Secretary

**Subject:** Letter to Representative Sue W. Kelly concerns the safety of operations at the Indian Point 2 plant

**ACTION:** Please comment/concur and respond to the Office of the Secretary by:

**Time:** C.O.B.  
**Day:** Tuesday  
**Date:** July 25, 2000

**Comment:** REVISED BY THE CHAIRMAN'S OFFICE. REVISION INCORPORATES RESPONSE IN CORR-00-0118.

**Contact:** Mike Tschiltz, OCM/RAM  
415-1750

Entered in STARS Tracking System  Yes  No

W/36

to begin replacement of the steam generators by the end of the year. The As you know, the NRC staff ~~is reviewing~~ has reviewed Con Ed's report and, ~~based on this review,~~ will has determined that there is an insufficient technical basis to permit operation to resume ~~whether or not continued operation of IP2 with the current steam generators poses an undue risk to public health and safety.~~ Our Regional staff are also continuing their inspection activities in order to ensure that all appropriate corrective actions have been completed. The results of staff's review was transmitted by letter to Con Ed on July 20, 2000 (a copy of that letter was provided to you). The staff has requested additional information from Con Ed with regard to the operational assessment and will continue its review when Con Ed has provided the information requested. Under no circumstances will Con Ed be permitted to restart IP2 with the existing steam generators unless and until the staff determines that a sufficient technical basis for such action exists.

An OIG review of the issues before and after the February 15, 2000, event is ongoing, and the results are scheduled to be reported in mid-August. ~~Consistent with its standard process, the OIG will provide safety-significant insights to me and the staff, as appropriate, even if the OIG's work is not then complete. This information will be taken into account in deciding whether or not to allow IP2 to resume operations. In this regard, OIG will be providing me with an IP2 briefing on July 21, 2000.~~ The OIG will provide safety-significant insights to me and the staff as appropriate during the course of its investigation. If weaknesses in the staff's review process are found, we will take appropriate action to strengthen those processes.

As you note in your June 14, 2000, letter, the NRC has designated IP2 an "agency focus" plant. Such a designation does not indicate that the plant is unsafe to operate. Rather, it indicates that the NRC has increased its oversight activities at the plant to ensure that its safety

performance meets the NRC's requirements, and that prompt corrective actions are taken by the licensee to address identified deficiencies. IP2 will remain an "agency focus" plant until such time as the NRC determines through its plant oversight process that the plant's performance merits removal from that category. **INSERT (A)**

↖ next page

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The NRC staff has kept the Commission fully informed of the status of IP2 and of the staff's findings. The NRC staff will inform the Commission, internal stakeholders including OIG, as well as the public in the vicinity of the plant, of the results of the review of the IP2 steam generator operational assessment, prior to issuing its decision on the restart of the plant.

I can assure you that the NRC staff's and Commissioners' primary concern is that the health and safety of the public in the vicinity of IP2 is protected. The NRC will approve future operation of the plant with the current steam generators only if we conclude that the generators meet the tube integrity performance criteria discussed in the NRC's July 20, 2000, letter to Con Ed, and can be operated so as to pose no undue risk to public health and safety.

I appreciate the extent of your concern in these matters. If you have additional questions, please contact me.

~~I trust that this letter addresses your concerns.~~

Sincerely,

Richard A. Meserve

**COMMISSIONER DICUS' CMTS ON CORR-00-0103, Revision 2**

Insert A

of June 14, 2009

certain information relative to programs  
~~that~~ rather under the auspices of.

Also noted in your letter, is your belief that Con Ed did not disclose inspections conducted by the Institute of Nuclear Power Operations. I hope you found the clarification related to your concern in a letter dated June 29, 2000, from Mr. Hubert Miller, Regional Administrator Region I satisfactory.

to be

## **COMMISSIONER DICUS' CMTS ON CORR-00-0103, Revision 2**

### Insert A

Also noted in your letter is your belief that Con Ed did not disclose inspections conducted by the Institute of Nuclear Power Operations. I hope you found the clarification related to your concern in a letter dated June 29, 2000, from Mr. Hubert Miller, Regional Administrator Region I satisfactory.