

Merrifield

COMMISSION CORRESPONDENCE

Correspondence Response Sheet

I recommend consolidating this letter with the letter provided in CORR:00-0118. Also, given that the staff's decision on the technical adequacy of ConEd's proposal is apparently imminent, I recommend that the Chairman consider delaying the issuance of these letters so that the staff's decision is reflected in them. Finally, I recommend some minor edits.

Date: July 12, 2000

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

From: Annette Vietti-Cook, Secretary

[Handwritten Signature]
Jeffrey S. Merrifield, 7/14/00

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: Wednesday
Date: July 19, 2000

Comment: RESPONSE REFERS TO OIG BRIEFING ON JULY 21.

Contact: George Wunder, EDO/NRR
415-1494

Entered in STARS Tracking System Yes No

W/41



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

The Honorable Sue W. Kelly
U.S. House of Representatives
Washington, D.C. 20515-3219

Dear Congresswoman Kelly:

Thank you for
~~I am responding to~~ your letters of May 26, 2000, and June 28, 2000, in which you expressed continued concern about operation of the Indian Point Nuclear Generating Unit No. 2 (IP2). You specifically expressed concern about the steam generator tube failure at IP2 on February 15, 2000, and about the efforts being undertaken by our Office of the Inspector General (OIG).

As you are aware from discussions with NRC staff, since the February 15, 2000, event, the plant's owner, Consolidated Edison Company of New York, Inc. (Con Ed), has inspected the tubes in all four steam generators. As a result of this inspection, Con Ed removed some tubes from service. Con Ed evaluated the tube inspection data and concluded in its Operational Assessment Report of June 2, 2000, that there is reasonable assurance that the tubes that have been left in service will maintain their structural integrity for 10 months of operation. Con Ed has stated their intention to begin replacement of the steam generators by the end of the year. The NRC staff is reviewing Con Ed's report and, based on this review, will determine 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.

An OIG review of the issues before and after the February 15, 2000, event is ongoing.

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 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 trust that this letter addresses your concerns.

Sincerely,

Richard A. Meserve