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COMMISSION CORRESPONDENCE

Correspondence Response Sheet

Date: September 14, 2000

Approved with edits.

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

Peta Joy Dicus
Peta Joy Dicus 9/22/00

From: Annette Vietti-Cook, Secretary

Subject: Letter to Congressman Hinchey concerns replacement of all four steam generators at Indian Point 2 prior to start up

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

Time: NOON
Day: Friday
Date: September 22, 2000

9/20/00

Comment:

Contact: George Wunder, EDO/NRR
415-1494

Entered in STARS Tracking System Yes No

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UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

CHAIRMAN

The Honorable Maurice D. Hinchey
United States House of Representatives
Washington, DC 20515-3226

Dear Congressman Hinchey:

I am writing in response to your letter of July 19, 2000, in which you expressed a number of concerns about the operation of the Indian Point Nuclear Generating Unit No. 2 (IP2) in Buchanan, New York. You expressed concern about the safety of operating the plant with its old steam generators; about radiation measurements during and after the February 15, 2000, event as described in our April 28, 2000, Augmented Inspection Team (AIT) report; about the adequacy of emergency preparedness (EP); and about the effects on safety of a possible sale of IP2.

about any safety issues that might be revealed as a result of the inspector general's investigation;

In regard to your concerns about the safety of operating IP2 with its old steam generators, on August 9, 2000, the Consolidated Edison Company of New York, Inc. (ConEd), announced that the steam generators at IP2 will be replaced before the plant is restarted. The replacement will be conducted in accordance with U.S. Nuclear Regulatory Commission standards and will be subject to NRC inspection.

In your letter, you asked a number of questions about our assessment of the radioactive releases as well as the availability and adequacy of monitoring data during the February 15, 2000, steam generator tube failure event; you expressed particular concern about what you thought might be conflicting radiation measurements on a steam generator dump valve. The existence on February 16, 2000, of some residual noble gas activity from the #24 steam

generator dump valve is entirely consistent with the NRC's overall assessment that the event caused a minor release of radioactivity, too small to be of offsite consequence or to be distinguishable from normal background levels offsite. We are confident that we obtained enough information to make a valid radiological assessment. Regarding your concerns about the pressurized ion chamber (PIC) radiation detectors, data from 6 of the 16 PICs were received via remote transmission, and data from 4 others were subsequently gathered before being overwritten by newer data per the system design. The data obtained from those 10 monitors are considered accurate, however, the monitors themselves are not explicitly required by the NRC, and our radiological assessment relies on other information. We understand that ConEd is addressing the problems they encountered with PIC data retrieval. More detailed answers to your specific questions regarding the AIT report are enclosed.

Your concerns about EP at IP2 centered on public participation in full-participation exercises, the size of the emergency planning zones (EPZs) at IP2, and NRC review of the Federal Emergency Management Agency (FEMA) reports included with my June 13, 2000, letter to you. In regard to public participation in EP exercises, our regulations state that full-participation exercises should test as much of the licensee, State, and local emergency plans as is reasonably achievable without mandatory public participation. Large-scale public participation in emergency exercises is not considered necessary to evaluate response capabilities because the focus of EP exercises is on ensuring that utility, State, and local emergency response personnel understand and can perform their duties following a radiological emergency. In regard to your concern about the size of EPZs for commercial nuclear power plants, the size of these zones is specified in emergency planning regulations. These regulations represent a judgement based on the consideration of the probabilities and consequences of a spectrum of accidents and on the extent of detailed planning required to ensure an adequate response to a

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radiological emergency. In regard to your request for our review of the FEMA reports that were enclosed in my June 13 letter to you, the NRC assesses onsite emergency planning and reviews the results of FEMA's assessment of offsite plans and preparedness for the purpose of making findings on the overall state of EP. After initial approval of EP for a site, our review of the FEMA reports is generally for confirmation and is not formally documented. More detailed answers to your specific questions regarding EP are enclosed.

In regard to your concern about the safety of operation of IP2 following a potential sale of the unit, neither ConEd nor any other entity has applied to transfer the license for IP2. Should such an application be received, please be assured, that license transfers must be reviewed and approved by the NRC staff. Before approving the transfer of an operating license for a nuclear power plant, the NRC must be convinced that the organization to which the license is being transferred has both the technical and the financial means to operate the facility safely. Please also be assured that NRC regulations apply to any U.S. commercial nuclear power plant, no matter who owns and operates it.

The CD-ROM containing the IP2 Final Safety Analysis Report that was promised to you in my June 13 letter has been sent to you separately. I trust that this letter answers your concerns.

In regard to ^{the} inspector general's investigation I'm sure ~~you~~ you are aware that the inspector general has issued a report on the investigation.

I have directed that any issues ^{warranting} corrective actions be addressed by the
Enclosure: As stated NRC's Executive Director of Operations.

Sincerely,

Richard A. Meserve

cc w/o encl: See next page