

Meserve

**CORR: 00-0149**

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**COMMISSION CORRESPONDENCE**

**Correspondence Response Sheet**

**Date:** September 14, 2000

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

*Approved as edited  
9/26/00*

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

**Subject:** Letter to Congresswoman Lowey concerns status of Indian Point 2 nuclear power facility

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

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

**Comment:**

**Contact:** George Wunder, EDO/NRR  
415-1494

*W/66*

Entered in STARS Tracking System  Yes  No

The Honorable Nita M. Lowey

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The Director of the Office of Nuclear Reactor Regulation has informed the Petitioners that their request that IP2 not be allowed to restart until the issues raised in Dr. Hopenfeld's DPO are resolved does not meet the standards for review under 10 CFR 2.206. The concerns that Dr. Hopenfeld raised are not specific to IP2 and are being reviewed under the NRC's DPO process. The DPO process provides a mechanism for the review of the concerns of employees who disagree with a formal staff position. On July 20, 2000, the Executive Director for Operations, <sup>(EDO)</sup> requested <sup>that</sup> the Advisory Committee on Reactor Safeguards (ACRS) <sup>NRC's</sup> to serve as the equivalent of an ad hoc DPO panel. An ACRS subcommittee is scheduled to meet <sup>on</sup> in the October <sup>(10-13,</sup> ~~November 2000, time frame~~ <sup>begin its</sup> to review <sup>of</sup> Dr. Hopenfeld's DPO. This meeting will be open to public observation.

On June 29, 2000, the Petitioners supplemented their original Petition by requesting that the NRC prevent IP2 from restarting until ConEd conducts a full-participation emergency preparedness (EP) exercise in accordance with Appendix E to 10 CFR Part 50; they further asked that the NRC require ConEd to continue to conduct such exercises every 2 years. These issues, as well as the request that IP2 not be allowed to restart until potassium iodide is provided to residents or stockpiled in the vicinity of the plant, continue to be reviewed. A copy of the decision <sup>regarding the petition</sup> will be provided to you when it is available. The decision will be issued before restart of IP2.

Sincerely,

Richard A. Meserve