

CORR: 00-0179

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Diaz

COMMISSION CORRESPONDENCE

Correspondence Response Sheet

Approved with attached edits.

Date: November 1, 2000

[Signature]
NLS J. Diaz 11/03/00

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

From: Annette Vietti-Cook, Secretary

Subject: Letter to Congresswoman Kelly concerns spill of radioactive material at Indian Point 2 during operations to replace steam generators

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

Time: C.O.B.
Day: Thursday
Date: November 2, 2000

Comment: RESPONSE REQUESTED BY C.O.B. ON THURSDAY, NOVEMBER 2, 2000

Contact: Patrick Milano, EDO/NRR
415-1457

Entered in STARS Tracking System Yes No

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and Con Edison reviewed steam generator replacement activities on or about October 4 for indication of such an event. Neither the NRC staff nor Con Edison has been able to find that a spill matching the description provided by CAN occurred. Rather, the NRC noted that two very small spills, on the order of several ounces of liquid, associated with the removal of steam generator no. 21 had occurred during the first week of October. One appeared to be oil left from the cutting operation that collected around the steam generator manway while it was being removed from containment, and the second one involved water that dripped from the steam generator nozzle plate. Both of these minor "spills" occurred while the steam generator was within the radiologically controlled area and Con Edison took appropriate immediate corrective action. No personnel contaminations were reported. No NRC regulatory limits related to radioactive exposures to personnel or releases to the environment were exceeded, *or even approached.* On October 31, 2000, the NRC staff held a telephone conversation with one of the representatives from CAN who had signed the October 19 letter in order to better understand the basis for the allegation. During the call, the NRC discussed the findings stated above and explained that the NRC has been so far unable to verify the allegation. Although the NRC staff offered the CAN representative the opportunity to address the NRC's Petition Review Board with additional information or to have the issue treated as an allegation, she declined both. Thus, the NRC informed the CAN representative that a letter rejecting the issue as a 10 CFR 2.206 petition will be issued shortly.

As you are aware, the OIG Report, "NRC's Response to the February 15, 2000, Steam Generator Tube Rupture at Indian Point Unit 2 Power Plant," was provided to the Commission on August 29, 2000. In response to the report, I directed the NRC's Executive Director for Operations to conduct a review and analysis of the issues raised in the report, as well as the

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I also asked the Executive Director for Operations to provide recommendations for improving NRC processes as may be warranted

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issues raised in the independent technical review conducted by NRC's Office of Nuclear Regulatory Research. I will provide you with a copy of the staff's analysis when it becomes available.

Regarding the status of NRC and Con Edison efforts to address the problems identified at IP-2, the NRC has been closely monitoring the replacement of the steam generators, other outage activities, and Con Edison's actions to improve overall plant safety performance described in its Business Plan. Following designating IP-2 for additional "Agency Focus" in May 2000, and subsequently identifying it as having "multiple degraded cornerstones" under the new Reactor Oversight Process, the NRC staff continues to provide heightened management and inspection oversight of IP-2. On September 11th, 2000, the NRC held a management meeting with Con Edison to review progress on improvement actions at the plant. On October 10, 2000, the NRC issued an assessment follow-up letter to Con Edison, summarizing its plans for overseeing performance improvement efforts at IP-2. As noted in that letter, the specific nature and level of our planned oversight activities have been determined through the use of the significance determination process and "Action Matrix" guidelines of the new Reactor Oversight Process. Following the "multiple degraded cornerstones" column of the Action Matrix, the NRC will conduct a number of activities above NRC baseline oversight for the IP-2 facility. These include monitoring the utility's implementation of its 2000 Business Plan and performing additional NRC inspections. During a meeting on October 25, 2000, with the NRC staff, Con Edison described its plans for conducting walkdowns and reviews of its significant safety systems before restart. The NRC plans to observe aspects of these system reviews as well as an in-depth safety system functional assessment that Con Edison will be conducting of the 125 volts dc electrical system.

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and other pertinent regulations

oversight program, to ensure that the health and safety of the public will continue to be maintained. Therefore, the Commission does not believe that a restart hearing or Commission vote is necessary. However, as with any nuclear power facility, should the NRC find in the future that NRC regulations are not being met or that reasonable assurance of public health and safety is not being maintained, the NRC will take appropriate action under the statutory authority given to it in the Atomic Energy Act of 1954, as amended, and the Energy Reorganization Act of 1974, as amended.

I trust that this letter addresses your concerns.

Sincerely,

Richard A. Meserve