

CORR: 01-0011

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## COMMISSION CORRESPONDENCE

### Correspondence Response Sheet

**Date:** January 22, 2001

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

*Approved & edited  
1/22/01*

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

**Subject:** Letter to Andrew J. Spano, Westchester County, New York, concerns activities at Consolidated Edison's Indian Point 2 nuclear power station

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

**Time:** 1:30 p.m.

**Day:** Monday

**Date:** January 22, 2001

**Comment:**

**Contact:** Brian Holian, RG1/DRS  
610-337-5128

Entered in STARS Tracking System  Yes  No

*W/87*



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

CHAIRMAN

Mr. Andrew J. Spano  
County Executive  
Westchester County  
Michaelian Office Building  
White Plains, New York 10601

Dear Mr. Spano:

I am responding to your letter dated January 3, 2001, <sup>in</sup> <sup>you</sup> which raised concerns about activities at Consolidated Edison's Indian Point 2 nuclear power station. In particular, you requested that the Nuclear Regulatory Commission (NRC) suspend operations at Indian Point 2 until additional inspections are conducted and also raised concerns about leaks at Indian Point 2. You also requested a meeting with a senior NRC official to brief yourself and other municipal representatives on the start-up process and steps being taken to ensure safe operation at the facility.

*Move to 3rd ¶*

With respect to continued operation of the plant, Consolidated Edison's ~~operation~~ <sup>that of</sup> operation of Indian Point 2, like <sup>that of</sup> all licensed power reactors, is subject to the terms and conditions of its license and the Commission's regulations. Consolidated Edison is authorized under its license to operate the facility within these strictures absent a Commission order that bars further operation. In light of the results of inspections to date and our ongoing oversight of licensee activities, the Commission believes it <sup>has no basis for taking the extraordinary step of issuing</sup> ~~would be inappropriate to issue~~ an order to suspend operations at Indian Point 2. This conclusion is based on inspections over the past several months that examined such things as safety system readiness, licensed operator training,

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corrective actions, and aspects of emergency preparedness. (Reports of these inspections have been made publicly available.) Further, as you know, we have initiated a significant, supplemental team inspection to provide additional insights into facility operations at Indian Point 2. This inspection team is made up of over a dozen people from various NRC regional offices, NRC headquarters, and contractors. This inspection will consist of three weeks of on-site inspection activities and will include <sup>a thorough</sup> an examination of safety systems at Indian Point 2. ~~as~~ you referred to in your letter.

Consistent with our designation of Indian Point 2 as a plant warranting heightened scrutiny under our Reactor Oversight Program, we have been closely monitoring plant activities. We have conducted augmented inspections of Consolidated Edison's restart testing and power ascension program and have carefully assessed ~~the~~ <sup>the</sup> handling of various equipment issues that have arisen during the restart process, such as the reported pressurizer relief valve leakage to the plant's pressurizer relief tank. We have determined that this leakage, which by design is being retained by plant systems, is well below allowable NRC limits. This leakage is also well below levels that would affect <sup>adversely operation of the</sup> ~~continuing~~ safety valve <sup>In this connection</sup> function. It is important to note that the high-pressure reactor coolant systems at all nuclear power plants <sup>can</sup> experience a very small amount of leakage, <sup>which</sup> ~~that~~ <sup>retained by plant systems</sup> is routinely captured and processed in a safe and controlled manner.

~~Therefore, I can assure you that this leakage poses no threat to public health and safety or plant employees.~~ Additionally, this leakage is fundamentally different from the leakage during the February steam generator tube failure, and Another issue that has received press coverage was a minor leak on a main boiler feedwater pump, which was from the secondary (non-radioactive) side of the plant. Upon discovery, Consolidated Edison took appropriate action to isolate the leak, repair the problem, and return the pump ~~back~~ to service. NRC regional and

resident inspectors monitored Consolidated Edison's actions during this evolution and concluded that their actions were proper.

With respect to your request for a public meeting, we have worked diligently to ~~apprise~~<sup>inform</sup> the public, government officials, and other external stakeholders of our oversight activities. In early 2000, the NRC established a Web site for the Indian Point 2 plant to facilitate communication to the public. ~~Additionally,~~<sup>Moreover,</sup> we have held numerous public meetings and provided reports of our inspections and assessments over the past year. For example, on November 16, 2000, a meeting was held specifically to provide recent inspection results and to inform stakeholders of the NRC's oversight of the Indian Point 2 restart. ~~Additionally,~~<sup>Subsequently,</sup> stakeholders were informed by telephone on December 21, 2000, of the pending restart of Indian Point 2, and a letter providing the latest inspection and assessment information was issued on December 22, 2000. In addition, we have stressed the need for better communications to stakeholders with senior Consolidated Edison officials. We understand ~~that~~<sup>Consolidated Edison</sup> ~~are~~<sup>is</sup> now providing daily reports on plant status, including various problems being addressed at the facility, to local officials and interested Members of Congress. Further, I understand that Mr. Hubert Miller, Region I Administrator, has had several discussions with you recently and sent you a letter dated January 18, 2001, regarding the nature and extent of NRC oversight at Indian Point 2. Finally, a local public meeting is being planned to summarize the findings of the supplemental team inspection I referred ~~to~~<sup>to which</sup> previously. I trust that you find these communications helpful.

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I want to assure you that, should the NRC find ~~in the future~~ that the licensee is not complying with NRC requirements or not maintaining safe operations, the NRC will take appropriate action. If you have any further questions, please contact me.

Sincerely,

Richard A. Meserve