

CORR: 01-0012

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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 by added
[Signature]
1/22/01*

From: *Annette Vietti-Cook, Secretary*

Subject: *Letter to Representative Benjamin A. Gilman 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: *3:00 p.m.*

Day: *Monday*

Date: *January 22, 2001*

Comment:

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

Entered in STARS Tracking System **Yes** **No**

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

CHAIRMAN

The Honorable Benjamin A. Gilman
United States House of Representatives
Washington, D.C. 20515

Dear Congressman Gilman:

I am responding to your letter dated January 4, 2001, ⁱⁿ ^{you} which raised concerns about activities associated with Consolidated Edison's Indian Point 2 nuclear power station. In particular, you raised concerns about communications, technical issues, plant operations, and Nuclear Regulatory Commission (NRC) oversight activities. Since receiving your letter, ~~Mr. Thomas Madden~~ ³ from our office of Congressional Affairs has been in contact with your office regarding these matters.

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 their 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 ^{to which} that you referred ~~to~~ in your letter. 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 ^{adversely operation of the} ~~continuing~~ safety valve ~~function~~.

It is important to note that the high-pressure reactor coolant systems at all nuclear power plants ^{retained by plant systems} can experience a very small amount of leakage that 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. ~~Another issue~~ which you referred to in your letter 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 concerns about communications, detailed information on plant status is most appropriately provided by Consolidated Edison. We have addressed this point with senior Consolidated Edison officials and understand ~~they are~~ ^{Consolidated Edison is} now providing daily reports on plant status, including various problems being addressed at the facility, to local officials and interested Members of Congress. Regarding the NRC's efforts, we have worked diligently to ~~apprise~~ ^{inform} 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 facility to facilitate communication to the public. ~~Additionally,~~ ^{Moreover,} 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,~~ ^{Subsequently,} 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.

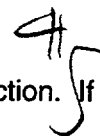
With respect to your concern about the need to suspend plant operations pending resolution of unresolved issues, Consolidated Edison's operation of Indian Point 2, like all ^{rest of} licensed power reactors, is subject to the terms and conditions of its license and the Commission's regulations. Consolidated 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 ~~would be inappropriate to issue~~ ^{has no basis for taking the extraordinary step of issuing} an order to suspend operations at Indian Point 2. This conclusion is based on inspections conducted over the past several months that examined such things as safety system readiness, licensed operator training, 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. I understand that you were able to meet with the team leader during your January 15, 2001 visit to the Indian Point site. A local public meeting is being planned to summarize the results of this inspection.

I want to assure you that the NRC takes the health and safety of the public very seriously. If the NRC should find ~~in the future~~ that the licensee is not complying with NRC

The Honorable Benjamin A. Gilman

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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

BENJAMIN A. GILMAN
20TH DISTRICT, NEW YORK

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House of Representatives
Washington, DC 20515-3220**

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AND HUMAN RESOURCES**

January 4, 2000

Richard A. Meserve
Chairman
United States Nuclear Regulatory Commission
016C-1
Washington, D.C. 20555

Dear Chairman Meserve,

I am contacting you concerning recent distressing reports in our regional newspapers that there has been additional incidents at the Indian Point 2 nuclear power plant in Buchanan, New York.

Foremost, I am extremely concerned with the inability of the Nuclear Regulatory Commission (NRC) to keep local and regional government officials, including my office, informed of ongoing events at Indian Point 2. As you are full aware, this plant has been the subject of extensive scrutiny and its safety continues to be of considerable concern to the citizens of our Hudson Valley region. The inability of the NRC to expediently notify elected officials of events at Indian Point 2 reflects a lack of respect for the severity of this situation and creates further concern over the NRC's ability to provide appropriate oversight of this facility. Accordingly, in the future, I request timely notification of any and all incidents which occur at the Indian Point 2.

According to our regional newspapers, two separate incidents have occurred at Indian Point 2: one in a gasket on the non-radioactive feedwater pump and another involving a leaking safety valve in the radioactive pressurizer that serves the coolant water flowing through the nuclear reactor's core. I am interested in acquiring a detailed report on these incidents, their threat to public health, and why such incidents are continuing to occur at this plant. As you are aware, at my request, there is an ongoing study by the United States General Accounting Office (GAO) into Indian Point 2. I have made them aware of these incidents and have further requested their review of continuing problems as part of their report.

We have been working diligently for far too long to ensure that Indian Point 2 can be a safe and secure facility, which will meet the energy needs of New York's citizens. However, we are continually being reminded that this facility is not safe and that Consolidated Edison Company of New York is failing to maintain Indian Point 2 to acceptable standards. I do not feel it is appropriate for this plant to be active, while outstanding emergency preparedness and safety issues are still unresolved.

PLEASE REPLY TO:

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Web Page: <http://www.house.gov/gilman>

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