

July 1, 2002

Mr. William Primavera  
2718 Hickory Street  
Yorktown Heights, NY 10598

Dear Mr. Primavera:

I am responding to your May 18, 2002, e-mail to the U.S. Nuclear Regulatory Commission (NRC) allegations coordinator. In your e-mail you stated that you lacked confidence in the evacuation plan for the area surrounding the Indian Point Nuclear Generating Unit Nos. 2 and 3 (IP2 and 3). You expressed concern that a terrorist attack might make it necessary to evacuate the area and you suggested that the NRC permanently close the IP units.

In regard to your concerns about the adequacy of the emergency plan for the area surrounding the IP units, the State of New York in late January 2002 issued its annual letter of certification to the Federal Emergency Management Agency (FEMA). By this letter, the State informed FEMA that specific preparedness activities had been completed including training and updating of State and local plans; however, the updating of State and local plans is an ongoing activity. Federal regulations require that all operating commercial reactor sites in the U.S. conduct a drill to exercise the area emergency plan every 2 years. These drills are monitored and evaluated by the NRC and FEMA. When evaluating a large emergency exercise it is almost inevitable that areas for improvement will be identified. Although there are always aspects of a plan that can be made better, the NRC maintains that the emergency plan for IP is sound. We will continue to work with FEMA as well as with the State and local governments to update and improve the emergency plan. If you have specific concerns regarding Westchester County's emergency plan or the basis on which the State of New York certified it, you may wish to contact the County or the State directly.

We understand that many of our fellow citizens are concerned that a U.S. nuclear facility could be a target of future terrorist attacks. In view of the recent unprecedented events, Chairman Meserve, with the full support of the Commission, has directed the NRC staff to undertake a thorough review of our security regulations and procedures, including the basic assumptions of our current programs. This review involves coordination with U.S. national security organizations. The NRC recently issued Orders to all commercial nuclear power plants to implement interim compensatory security measures for the high-level threat environment. Some of the requirements formalize a series of security measures that NRC licensees had already taken in response to advisories issued by the NRC, and others are security enhancements which have emerged from the Commission's ongoing security review.

We cannot rule out the possibility of future terrorist attacks on the IP units; however, we believe that these facilities can continue to operate safely. Nuclear power plants are inherently robust. Their design is based on defense-in-depth principles, and includes many features to protect public health and safety. Reinforced containment buildings and redundant safety systems would allow trained operators to prevent or limit the release of radioactive material in the unlikely event of a terrorist attack or other disaster. In light of the facility's defense-in-depth design, the heightened security measures implemented in response to the events of September 11, and the NRC's ongoing reevaluation of its safeguards regulations and

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programs, we do not consider the immediate closure of IP2 and 3 to be necessary to provide adequate protection for the public health and safety.

I trust that this addresses your concerns. If you need further assistance, please contact the project manager for the IP units, Mr. Patrick Milano, at (301) 415-1457.

Sincerely,

*/RA/*

Stuart A. Richards, Director  
Project Directorate I  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

W. Primavera

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