

March 13, 2003

Ms. Audrey Maihock
Wildwood Road
Stamford, CT 06903-2111

Dear Ms. Maihock:

I am responding to your electronic mail of January 30, 2003, to the Chairman of the U.S. Nuclear Regulatory Commission (NRC) in which you expressed concerns over the safety and security of the Indian Point Nuclear Power Plant. In particular, you made mention of a recent report prepared by James Lee Witt Associates, LLC, for the Governor of the State of New York, regarding emergency preparedness at the Indian Point and Millstone facilities.

The NRC's primary mission is to ensure adequate protection of public health and safety. In this regard, the NRC closely monitors nuclear power plants to ensure that they are maintained and operated in accordance with NRC regulations. At the Federal level, the Federal Emergency Management Agency (FEMA) has the lead in offsite emergency planning and response for nuclear power plants. The NRC assists FEMA in carrying out this role. NRC regulations require that comprehensive emergency plans be prepared and periodically exercised to assure that actions can and will be taken to notify and protect citizens in the vicinity of a nuclear facility in the event of a radiological emergency. The NRC has responsibility for the onsite emergency planning and requires nuclear plant operators to have detailed procedures for handling accidents, making timely notification to appropriate authorities, and providing accurate radiological information. This responsibility involves direct assessment of onsite emergency planning and preparedness of the facilities that we regulate, in addition to oversight of plant operations and security.

In the U.S., emergency planning for commercial nuclear power plants specifies two concentric emergency planning zones (EPZs), centered around the plants. The EPZs are the areas for which planning is needed to assure that prompt and effective actions can be taken to protect the public in the unlikely event of an accident. The first zone, called the plume exposure pathway EPZ, is an area of about 10 miles in radius from the center of the plant. The major protective actions planned within this EPZ are evacuation and sheltering in order to protect members of the public from adverse health effects due to inhalation or direct exposure to airborne radioactive material which may be released by the plant during an accident, i.e. the plume. The second zone, called the ingestion pathway EPZ, is an area of about 50 miles in radius from the plant to deal with potential lower-level, long-term risks primarily due to exposure from ingestion of contaminated food and water. Outside of 10 miles, direct exposure is expected to be sufficiently low that evacuation or sheltering should not be necessary.

Exposure to a radioactive plume would not likely result in immediate or serious long-term health effects. Consideration of public sheltering and evacuation in emergency plans is very conservative and recommended at very low dose levels, well below the levels where health effects would be expected to occur. Should an evacuation be recommended, it is not likely that the entire 10-mile EPZ would need to be evacuated, even for a significant release of radioactive material. A radioactive plume does not move in all directions at once, but travels in the direction to which the wind is blowing. Thus, only a small fraction of the population in the EPZ

will be in the pathway of the plume and may be recommended for evacuation. In some circumstances, the public may be better protected by sheltering. This type of decision is made by State and local officials in consultation with plant operators and will be communicated to the public through the emergency alert system. The regulations require that information be provided to each household and others within the 10-mile EPZ identifying the sectors that make up the EPZ and the actions to take when notified. With regard to your particular questions on the locations to which people may be evacuated, the various county emergency plans detail the specifics for interim sheltering of displaced personnel based on the specific situation.

Regarding the Witt report, it in large measure addressed matters related to offsite planning and preparedness, which are matters primarily within the purview of FEMA. While any judgment as to the overall state of emergency planning and preparedness is for the NRC to reach, we look initially to FEMA for its views on the report relating to offsite preparedness. We are currently reviewing the report for any insights it may provide to improve emergency preparedness and are prepared to take appropriate action in coordination with FEMA.

One important issue in the report which falls under our purview relates to plant security and the effect of potential terrorism. As FEMA assesses the implications of the Witt report and other relevant information on the state of emergency planning and preparedness, it is important to consider that significant steps have been taken to strengthen security at Indian Point and other nuclear plants since the September 2001 terrorist attacks.

NRC regulations set high standards for security programs at nuclear power plants and other sensitive nuclear facilities. The NRC has required significant protection of licensed facilities against sabotage or attack since the agency's inception. Security against sabotage has been an important part of the NRC's regulatory activities, with defense-in-depth as the guiding design and operating principle. NRC regulations ensure that nuclear power plants are among the most hardened and secure industrial facilities in our nation. The many layers of protection offered by robust plant design features, sophisticated surveillance equipment, physical security protective features, professional security forces, access authorization requirements, and emergency planning provide an effective deterrent against potential problems related to terrorist activities that could target equipment vital to nuclear safety.

Since the terrorist attacks of September 2001, the NRC has taken a number of steps to enhance the already high level of security at the nation's nuclear power plants. These steps have resulted in, among other things, more guards being trained and placed on duty at the plants. The effectiveness of these security programs has been confirmed by NRC, as well as other authorities, including the Federal Bureau of Investigation. NRC actions have included more than forty advisories to licensees to describe threat conditions or recommend additional measures, Orders formalizing certain security enhancements as requirements, development of an NRC Threat Advisory and Protective Measures System, consistent with the Homeland Security Advisory System, to rapidly respond to national changes in the threat environment, and other actions. The NRC will continue to take actions, including the resumption of force-on-force exercises, to test the adequacy of licensee security programs and to confirm the enhanced security actions and activities are effectively implemented by the licensees.

Although there are certainly areas for improvement at Indian Point, the NRC considers the facility to be operated safely and the current security posture to be strong. On the basis of the

A. Maihock

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actions taken, the NRC does not feel that the operation of the Indian Point facility should be suspended at this time. The NRC continues to actively monitor the situation and is prepared to take measures to ensure the continued safety of Indian Point and all of our nation's nuclear facilities.

I appreciate the opportunity to respond to your concerns, and I hope that you find this information useful.

Sincerely,

/RA/

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

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