

March 22, 2004

The Honorable Nita M. Lowey
United States House of Representatives
Washington, DC 20015

Dear Congresswoman Lowey:

On behalf of the U. S. Nuclear Regulatory Commission (NRC), I am responding to your February 24, 2004, letter to Hubert Miller, Regional Administrator, Region I, regarding a meeting to discuss Entergy Nuclear Northeast's plans to construct an independent spent fuel storage installation (ISFSI) at the Indian Point Nuclear Generating Station in Buchanan, New York. You requested that a public meeting be held in the community that is host to the plant so that it would be more accessible to local citizens and community leaders. You specifically expressed interest in our response to concerns regarding the vulnerability of the ISFSI to acts of terrorism and our views on recent questions raised about the workmanship and design of the dry cask storage system selected for use by Entergy.

In a letter dated December 29, 2003, Entergy announced its plans to store spent fuel in an ISFSI at Indian Point under the general license provisions of 10 CFR Part 72. The dry cask storage design that Entergy plans to use at Indian Point has been reviewed and approved by the NRC. NRC approves spent fuel cask designs through a rulemaking process. The rulemaking process includes an opportunity for public review and comment. NRC's approval of a cask design is provided in a Certificate of Compliance. Entergy, as a general licensee, will be required to perform evaluations to ensure that the use of the specific dry cask storage system is bounded by the Part 72 Certificate of Compliance and the existing Part 50 license requirements for Indian Point. NRC will review Entergy's evaluations and perform inspections during construction, pre-operational testing, and operational activities to ensure that all safety requirements are met.

We understand that residents and local elected officials have questions and concerns regarding the planned ISFSI at Indian Point. During our Annual Assessment meeting with Entergy on April 27, 2004, we plan to discuss, at some level, the NRC's licensing and oversight of dry cask storage systems and ISFSIs. Subsequent to the April 27, 2004 meeting, we plan to hold an additional public meeting in the vicinity of Indian Point, within the next several months, to discuss the NRC's role in the Part 72 general licensing process, dry cask storage system technical reviews, and inspection of ISFSI activities. The intent of this meeting is to inform the public about the NRC's oversight, including a discussion of the technical requirements for dry cask storage, and the nature of specific assessments to be completed by Entergy to demonstrate the dry cask storage system meets all requirements. We will also provide general information regarding actions taken and in progress to ensure the security of spent fuel storage, and will respond to other questions and concerns that may be raised. In addition, we understand that Entergy plans to conduct an "open house" in mid-April 2004 to share the specific plans for construction and operation of the ISFSI.

These meetings will provide the opportunity for citizens in the vicinity of the Indian Point site to learn more about the NRC's oversight of ISFSIs and Entergy's specific ISFSI construction and operating plans.

If you have further questions, please feel free to contact me.

Sincerely,

/RA/

William D. Travers
Executive Director
for Operations

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If you have further questions, please feel free to contact me.

Sincerely,

/RA/

William D. Travers
Executive Director
for Operations

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