

April 15, 2004

Mr. Michael B. Kaplowitz  
Chair, Committee on Budget & Appropriations  
Westchester County Board of Legislators  
800 Michaelian Office Building  
148 Martine Avenue  
White Plains, NY 10601

Dear Mr. Kaplowitz:

On behalf of the Nuclear Regulatory Commission (NRC), I am responding to your letter of March 3, 2004, forwarding your concerns regarding the possible renewal of the operating license of the Indian Point Nuclear Generating Unit Nos. 2 and 3 (IP2 and 3). Specifically, you were forwarding a resolution by the Westchester County Board of Legislators opposing the renewal of the IP2 and 3 operating licenses when the current licenses expire in 2013 and 2015, respectively. The Board based its resolution on concerns about the potential of a terrorist attack, the age of the plants, the potential outcome of equipment failure or human error during operation, and current siting standards for nuclear facilities.

Entergy Nuclear Operations, Inc. has not announced its intention to seek renewal of the operating licenses for an additional 20 years. At such time that the NRC receives an application for a renewed license, the NRC staff will review both the safety issues (10 CFR Part 54) and environmental issues (10 CFR Part 51). The licensee must provide the NRC with an evaluation that addresses the technical aspects of plant aging and must describe how the aging will be managed. In addition, the licensee must prepare an evaluation of the potential impact on the environment to support plant operation for the additional 20 years. Some licensee programs, such as security and emergency planning, have periodic update requirements throughout the current operating term that would continue during the period of extended operation. Therefore, these programs provide reasonable assurance that an acceptable level of protection is provided and additional review of their adequacy is not necessary for license renewal. Additional information about license renewal can be found on the NRC web site at <http://www.nrc.gov/reactors/operating/licensing/renewal.html>.

As with any licensing activity, the public will have an opportunity to participate in NRC's decision-making process with regard to license renewal. Guidance that will be used during the review of an application is based not only on NRC views, but on industry experience and the expertise of technical organizations and professional societies. The public, in general, is encouraged to participate in the process through public meetings and public comment periods on the application. In addition, members of the public have an opportunity to request a formal adjudicatory hearing if they would be adversely affected by the proposed license renewal.

The NRC is highly committed to its primary mission 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. As we detailed in our letter to the licensee dated March 3, 2004, regarding our recent assessment of IP2 and 3, the NRC considers Indian Point to be operated safely and the current security posture to be strong. The NRC continues to actively monitor the situation at Indian Point, and all of our Nation's

M. Kaplowitz

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nuclear power plants, and is prepared to take measures to ensure the continued safety of those nuclear facilities. If a terrorist attack inflicted damage on a nuclear plant, the redundant design features and actions taken by the highly trained plant staff would likely prevent or minimize the release of radioactive material. The emergency response plans would also provide for protective actions for the surrounding population if a release were to occur.

I trust this information is responsive to your concerns. Please contact me if you need additional information.

Sincerely,

*/RA/*

Allen G. Howe, Acting Director  
Project Directorate I  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

April 15, 2004

Mr. Martin L. Rogowsky  
Chair, Committee on Energy & Economic Development  
Westchester County Board of Legislators  
800 Michaelian Office Building  
148 Martine Avenue  
White Plains, NY 10601

Dear Mr. Rogowski:

On behalf of the Nuclear Regulatory Commission (NRC), I am responding to your letter of March 3, 2004, forwarding your concerns regarding the possible renewal of the operating license of the Indian Point Nuclear Generating Unit Nos. 2 and 3 (IP2 and 3). Specifically, you were forwarding a resolution by the Westchester County Board of Legislators opposing the renewal of the IP2 and 3 operating licenses when the current licenses expire in 2013 and 2015, respectively. The Board based its resolution on concerns about the potential of a terrorist attack, the age of the plants, the potential outcome of equipment failure or human error during operation, and current siting standards for nuclear facilities.

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nuclear power plants, and is prepared to take measures to ensure the continued safety of those nuclear facilities. If a terrorist attack inflicted damage on a nuclear plant, the redundant design features and actions taken by the highly trained plant staff would likely prevent or minimize the release of radioactive material. The emergency response plans would also provide for protective actions for the surrounding population if a release were to occur.

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Allen G. Howe, Acting Director  
Project Directorate I  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

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Identical Letter sent to: M. Kaplowitz

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