

July 16, 2004

The Honorable Sue W. Kelly
United States House of Representatives
Washington, D.C. 20515

Dear Congresswoman Kelly:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of June 16, 2004, regarding the Indian Point 2 nuclear power plant in Buchanan, New York. In your letter, you referred to the issues raised by William Lemanski related to electrical cable and raceway separation, and you urged the NRC to address these problems immediately.

As we stated in our letters of April 22, 2004, and June 23, 2004, the NRC staff forwarded the issues raised by Mr. Lemanski to Entergy for investigation and conducted several weeks of independent, on-site inspection of the issues. The inspection conducted in March 2004 provided an initial operability and scoping review of Mr. Lemanski's concerns, and the results of that inspection were documented in an inspection report dated May 14, 2004, which was enclosed with our June 23 letter to you. Following the initial review, the NRC staff recognized that the complexity of the issues would warrant considerable additional NRC effort. A team of NRC regional and headquarters inspectors provided further in-depth inspection while on site the weeks of May 17 and May 24, 2004. The inspectors are currently performing in-office reviews and documenting their findings. After NRC management's review and approval of the inspectors' findings, the staff will issue an inspection report. We anticipate this report being issued in August 2004, and we will provide you a copy.

Region I managers and staff have remained in contact with Mr. Lemanski during the inspection process. The most recent communication was on July 1, 2004, when the Region I staff conducted a telephone conference with Mr. Lemanski and provided him an update of NRC actions taken and preliminary inspection findings related to his concerns. As the Region I staff explained to him, no immediate safety issues were identified involving electrical cable separation installation. Some of his concerns regarding design controls and corrective action effectiveness at Indian Point 2 were substantiated. Although these problems are of low risk significance, the NRC staff is ensuring that Entergy appropriately addresses them. In a recent response to a June 24, 2004 letter, Region I provided Mr. Lemanski an update on the inspection and assessment activities, committed to provide him a copy of the associated inspection report, and stated the staff's intent to continue to provide oversight and inspection of Entergy's ongoing activities related to electrical cable separation.

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

Sincerely,

/RA/

Nils J. Diaz