

January 7, 2005

Ms. M. Jane Cooper
P.O. Box 626
Lincoln, MA 01773

Dear Ms. Cooper:

On behalf of the Nuclear Regulatory Commission (NRC), I am responding to your letter of November 16, 2004, to Chairman N. Diaz in which you expressed concerns over the safety and security of the Indian Point Nuclear Power Plant. In particular, you made mention of a new report written by Dr. Edwin Lyman of the Union of Concerned Scientists regarding the estimates of potential consequences from severe accidents at all U.S. nuclear reactors and the comparison to a 1982 Report prepared by Sandia National Laboratories (i.e., CRAC-2 study).

The NRC is committed to its primary mission to ensure protection of public health and safety. NRC regulations set high standards for effective security programs at nuclear power plants and other sensitive nuclear facilities. In this regard, the NRC closely monitors nuclear power plants to ensure that they are maintained and operated in accordance with NRC regulations. Nuclear power plants are built of massive structures with thick exterior walls and interior barriers of reinforced concrete. The plants are designed to withstand tornadoes, hurricanes, fires, floods, and earthquakes. As a result, the structures inherently afford a measure of protection against deliberate terrorist attack. The layers of protection offered by plant design features, sophisticated surveillance equipment, physical security protective features, professional security forces, and access authorization requirements are designed to both deter attacks and prevent potential attacks from impacting equipment vital to nuclear safety.

The Sandia National Laboratory CRAC-2 study evaluated, in a quantitative manner, the relative merit of various preventive and mitigative actions for nuclear plant accidents. It does not represent a realistic accident at any plant, but rather assumed that everything failed - redundant safety systems, the several-foot-thick containment, skilled operators, etc. - in order to postulate the worst combination of events. The estimates of large consequences that are often quoted are based on no actions being taken to mitigate the event. The study was an effort by the NRC to compare the effect that factors such as population densities, meteorology, geography, geology, and emergency planning could play in the consequences of a severe nuclear accident. In order to provide meaningful comparisons between the effects of these factors, analysts employed an accident scenario orders of magnitude greater than that which is believed possible. Furthermore, current analysis tools are much better than the simplistic models used in the 1980s. More realistic, current inputs, assumptions, and modeling techniques would result in much smaller health consequences.

As you may know, Federal oversight of radiological emergency planning and preparedness associated with commercial nuclear facilities involves both the Federal Emergency Management Agency (FEMA) and NRC. Federal law establishes the criteria for determining whether offsite plans and preparedness provide reasonable assurance that appropriate measures can and will be taken to adequately protect the public in the event of a radiological emergency. Federal evaluation of emergency preparedness is an ongoing process. In this

regard, NRC regulations require that comprehensive emergency plans be prepared and periodically exercised. While NRC has overall responsibility, FEMA takes the lead in reviewing and assessing offsite planning and response and in assisting State and local governments. NRC reviews and assesses the licensees' onsite planning and response. We work closely with and support FEMA in its assessment of offsite emergency preparedness.

On June 8, 2004, an exercise was conducted to evaluate the implementation of the emergency plans at Indian Point. The NRC evaluated this exercise and issued its exercise inspection report on July 23, 2004. No significant problems were identified with the onsite emergency plan or its implementation. FEMA issued its draft report on the results of the offsite (State and local) plans in October 2004, and no deficiencies were identified. The June 8 exercise was a successful test of the various emergency planning functions and the performance of the onsite and offsite emergency response organizations for protecting the public in the event of a radiological emergency.

Further information regarding the NRC emergency planning requirements for nuclear power plants can be found on the NRC website at:
<http://www.nrc.gov/what-we-do/emerg-preparedness.html>.

The NRC appreciates your concern about the safeguards and physical security of spent fuel. We believe that spent fuel can be safely stored at the Indian Point reactor site, either in the spent fuel pools or in a proposed independent dry-cask storage system, until it can be shipped to a centralized interim spent fuel storage facility or a permanent disposal facility. The NRC has been conducting comprehensive evaluations of the safety and security of spent fuel at all of our Nation's nuclear facilities. If the results of these evaluations or any other information suggest that further actions are necessary, the NRC is prepared to take appropriate measures to ensure the continued safety and security of these facilities and the health and safety of the public. Additional information regarding spent fuel pools can be found on the NRC website at <http://www.nrc.gov/waste/spent-fuel-storage.html>.

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

Sincerely,

/RA/

Cornelius F. Holden, Jr., Director
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

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