

March 17, 2005

The Honorable Eliot L. Engel
United States House of Representatives
Washington, D.C. 20515

Dear Congressman Engel:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am writing in response to your letter dated January 19, 2005, concerning emergency alert and notification system requirements for the Indian Point Energy Center (IPEC) in Buchanan, New York. In your letter, you referenced concerns raised by Rockland County Executive Vanderhoef regarding off-site notification systems, and indicated that you were concerned about NRC regulations for maintaining emergency notification equipment.

The NRC agrees that prompt notification of the public is of the utmost importance if an emergency were to occur at a nuclear power plant. NRC regulations require power plant licensees to establish and maintain emergency notification systems to provide early notification and clear instructions to the entire population surrounding the plant. The sirens that serve as the primary means for emergency notifications for Indian Point are continuously monitored electronically. If a problem with the notification system is detected, NRC expects Entergy to initiate measures to resolve the matter promptly. In addition, provisions must be in place to use alternate methods, such as route alerting, to notify the public if the primary method is not available. If a siren does not operate properly during an actual event, State and local officials would be required to implement the alternate pre-planned methods to notify the impacted population.

County Executive Vanderhoef raised concerns regarding the NRC reporting requirements for off-site notification capability. In accordance with 10 CFR 50.72, licensees are required to notify the NRC of any event that results in a major loss of off-site communication capability. NUREG-1022, Rev. 2, "Event Reporting Guidelines, 10 CFR 50.72 and 50.73," provides guidance to licensees for implementing this requirement. The guidelines were designed to provide for a reporting threshold that is appropriate to the design of site-specific emergency notification systems, which frequently include diverse notification means. As such, the reporting requirement does not quantify a number of siren failures that would be reportable. Similarly, the reporting criteria for off-site notification capability does not imply that a corresponding siren failure rate is considered acceptable. The reporting requirement allows the NRC to assess further the potential impact to ensure that alternate means of notification are available and to assess licensee actions to correct the degraded condition.

The sirens for Indian Point are tested regularly to ensure that they are in working order. If a problem with the notification system is detected, NRC expects Entergy to document the condition in a corrective action system and initiate measures to resolve the matter promptly. Through the Reactor Oversight Process (ROP), NRC inspectors periodically review the testing and maintenance of the emergency notification systems. Licensees provide data on siren reliability to the NRC quarterly. This data is assessed as a performance indicator (PI) within the ROP, and if siren reliability drops below established thresholds¹, the NRC increases its oversight. Through inspections and performance indicators, the NRC is able to ensure that licensee emergency notification systems are reliable and that prompt action is taken to correct any problems that occur.

I want to assure you that NRC takes its responsibility to ensure adequate protection of public health and safety very seriously and expects licensees to maintain all aspects of their emergency planning program, including the systems used to ensure prompt and effective public notification of emergency conditions.

Sincerely,

/RA/

Jeffrey S. Merrifield
Acting Chairman

¹ For sirens this threshold is <94%. See www.nrc.gov/reactors/operating/oversight/program-documents.html for a full explanation of the performance indicator program.

Identical letter sent to:

The Honorable Eliot L. Engel
United States House of Representatives
Washington, D.C. 20515

The Honorable Nita M. Lowey
United States House of Representatives
Washington, D.C. 20515

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