

March 17, 2005

The Honorable Thomas Abinanti
Westchester County Board of Legislators
800 Michaelin Office Building
148 Martine Avenue
White Plains, NY 10601

Dear Mr. Abinanti:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I would like to thank you for participating in the government-to-government meeting on December 16, 2004, in Briarcliff Manor, New York. I appreciated the opportunity to discuss important issues regarding safety, security, and emergency preparedness for Indian Point. One of the NRC's goals is to ensure openness in our regulatory process, and I believe this meeting supported that goal by keeping local officials informed regarding NRC actions in these areas.

The NRC recognizes that many things have changed as a result of the terrorist attacks of September 11, 2001. We appreciate the concerns of the public about the ability of nuclear power plants to mitigate the effects of deliberate attacks involving large commercial aircraft. After the terrorist attacks on September 11, 2001, the NRC promptly assessed the potential consequences of terrorists targeting a nuclear power plant for aircraft attack. As a result of those assessments, the NRC required all nuclear power plant licensees to implement enhancements to mitigate the potential consequences of a terrorist attack. The NRC conducted detailed engineering studies related to this matter, drawing on national experts from several Department of Energy laboratories and using state-of-the-art structural and fire analyses. These studies confirmed the low likelihood of damaging the fuel in reactor cores or spent fuel pools and releasing radioactivity that could affect public health and safety. The assessments show that even in the unlikely event of a radiological release due to terrorist attack, there would be sufficient time to implement mitigating actions and off-site emergency plans. Based on our assessments, we believe that nuclear power plant safety, security, and emergency planning programs continue to provide reasonable assurance of adequate protection of the public health and safety. Nonetheless, as part of our continuing emphasis on security, additional studies for the Nation's nuclear power plants are underway or being planned to determine the need, if any, for additional mitigating capabilities on a site-specific basis. The NRC will not hesitate to take action if the need for additional capabilities is identified.

Additionally, actions taken by Federal aviation safety and security agencies -- Federal Air Marshals, reinforced cockpit doors, airport passenger and baggage screening, improved ability to detect deviation from planned flight paths, and greater military aircraft intercept capability -- have reduced the likelihood that large commercial aircraft could be used to attack critical infrastructure, including a nuclear facility. Other actions, such as improved communication between military surveillance authorities, the NRC, and NRC licensees, would allow plant operators to prepare the plant for safe shutdown should it be necessary.

The NRC has been working with Federal, State, and local organizations to improve coordination of emergency response activities to protect the public in case of a terrorist attack on a nuclear power plant. As we discussed at the meeting, the NRC believes that the emergency preparedness planning basis for nuclear power reactors remains valid. However, the NRC

recognizes that there are enhancements that can be made to emergency plans to incorporate unique considerations associated with terrorism. We have also gained new insights from two recent studies on evacuations and are conducting a study to examine innovative protective action guidance for terrorism events. The results of the completed evacuation studies are enclosed for your information. In addition, the NRC is considering enhancements to the emergency preparedness notification process that will enable licensees to inform off-site response organizations, including State and local officials, of a security threat more quickly. The NRC continues to work closely with the Department of Homeland Security's Federal Emergency Management Agency on issues of concern, such as the effectiveness of sirens and route alerting for emergency notification. If you have any questions regarding the evacuation studies or other emergency preparedness issues, please feel free to contact Patricia Milligan of the NRC's Emergency Preparedness Directorate at (301) 415-2223.

We also appreciated the opportunity to discuss NRC oversight of activities at Indian Point. The NRC will maintain close oversight at Indian Point and will continue to monitor Entergy's efforts to improve performance and integrate the two units. We will also perform on-site inspections as Entergy proceeds with its plans for an independent spent fuel storage installation (ISFSI). These inspections will look at construction, operations, and security of the planned ISFSI.

The NRC will hold an annual assessment meeting for Indian Point on May 10, 2005. This meeting will be open to the public and will provide an opportunity for local officials and members of the public to learn more about the NRC oversight process and our assessment of performance at the site. Additionally, in response to requests from local officials, we plan to discuss the license renewal process. We will also be prepared to talk about other topics, including security and emergency preparedness, and respond to questions from interested stakeholders.

Thank you again for attending the government-to-government meeting and for your interest in the safety and security of nuclear power. You can find the meeting summary, presentation slides, and attendance list in NRC's document system (ADAMS) under accession number ML043230617. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Sincerely,

/RA/

Samuel J. Collins
Regional Administrator

Enclosures:

1. NUREG/CR-6863, "Development of Evacuation Time Estimate Studies for Nuclear Power Plants"
2. NUREG/CR-6864, "Identification and Analysis of Factors Affecting Emergency Evacuations," Volumes 1 and 2

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