

EDO Principal Correspondence Control

FROM: DUE: 10/04/05 EDO CONTROL: G20050654
DOC DT: 09/21/05
FINAL REPLY:

Sen. Charles E. Schumer

TO:
Chairman Diaz

FOR SIGNATURE OF : ** PRI ** CRC NO: 05-0468
Chairman

DESC: ROUTING:
Concerns Belated Announcement of a Leak from
Hairline Cracks in the Spent Fule Pool at Indian
Point 2
Reyes
Virgilio
Kane
Silber
Dean
Cyr/Burns
Dyer, NRR

DATE: 09/22/05

ASSIGNED TO: CONTACT:
RI Collins

SPECIAL INSTRUCTIONS OR REMARKS:

~~SE~~ Template: SECY-017

ERids: SECY-01

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: Sep 22, 2005 13:34

PAPER NUMBER: LTR-05-0468 **LOGGING DATE:** 09/22/2005
ACTION OFFICE: EDO

AUTHOR: SEN Charles Schumer
AFFILIATION: CONG
ADDRESSEE: Nils Diaz
SUBJECT: Concerns belated announcement of a leak from hairline cracks in the spent fuel pool of the Indian Point 2 nuclear reactor

ACTION: Signature of Chairman
DISTRIBUTION: RF, OCA to Ack

LETTER DATE: 09/21/2005
ACKNOWLEDGED: No
SPECIAL HANDLING: Comr. Correspondence
NOTES: Advanced copy to the EDO
FILE LOCATION: ADAMS
DATE DUE: 10/06/2005 **DATE SIGNED:**

CHARLES E. SCHUMER
NEW YORK

COMMITTEES:
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RULES

United States Senate

WASHINGTON, DC 20510

September 21, 2005

Advance

The Honorable Nils J. Diaz
Chairman
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
Fax: 301-415-8571

Dear Chairman Diaz:

I am writing to express my dismay at the belated announcement this week of a leak from hairline cracks in the spent fuel pool of the Indian Point 2 nuclear reactor in Buchanan, NY. To ensure the security of the plant and to maintain the confidence of nearby residents, it is imperative that the special inspection now underway by the NRC be extremely thorough, prompt, and as public as security issues will permit. I also ask that the NRC and Entergy hold a public meeting in Westchester once the special inspection is completed to discuss the results and answer questions from the public.

Because of its location and its history of leaks under the previous owner, Con Edison, Indian Point 2 and its related operations needed, and have received, heightened scrutiny. Indian Point 2 was, in fact, the first nuclear power facility in the country to be issued a "red finding" from the NRC because of operational and maintenance problems. The current owner, Entergy, has invested millions of dollars in improvements and Indian Point has been removed from the "red finding" designation. But this record makes it crucial for the NRC and Entergy to remain extremely vigilant and exceptionally thorough in tracing and correcting even minor problems at the plant.

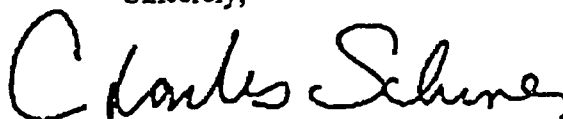
On a related matter, I am disappointed by the delay in notifying the public and elected officials about the spent fuel pool leak, which Entergy told the NRC about on September 2nd. Although your initial evaluation is that the leak posed no hazard to plant employees or Westchester residents, the failure to make the leak public is a throwback to the bad old days of secrecy and lack of accountability that I worked with Entergy and the NRC and others to change. Operating a nuclear power plant in the heart of a densely populated urban area requires an exceedingly high level of public communication, cooperation and coordination. It is unfortunate that this standard was not met in the disclosure of the spent fuel pool leak. Please inform me about what steps NRC and others are taking to ensure better, faster communication from now on.

PLEASE RESPOND TO THE FOLLOWING OFFICE:

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I look forward to hearing from you on these matters. If there are any questions, please do not hesitate to contact my Hudson Valley Regional Director Jean Bordewich at 845-758-9741.

Sincerely,

A handwritten signature in black ink that reads "Charles E. Schumer". The signature is written in a cursive style with a large, prominent initial "C".

Charles E. Schumer
United States Senator