

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

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PAPER NUMBER: LTR-05-0518 **LOGGING DATE:** 10/26/2005

ACTION OFFICE: *Chairman* / EDO

AUTHOR: SEN Hillary Clinton

AFFILIATION: CONG

ADDRESSEE: Nils Diaz

SUBJECT: Ref the October 25, 2005 meeting to discuss the Indian Point nuclear power plant

ACTION: Appropriate

DISTRIBUTION: Chairman, Comrs, RF,OCA

LETTER DATE: 10/25/2005

ACKNOWLEDGED No

SPECIAL HANDLING: Chairman sending letter essentially identical to Schumer Corr-05-0146 and Kelly Corr-05-0147

NOTES: 1. EDO to provide periodic updates of the IP2 SFP special inspection and provide the report when complete. 2. Info on implementation of effective backup power for the IP emergency notification system.

FILE LOCATION: ADAMS

DATE DUE: **DATE SIGNED:**

HILLARY RODHAM CLINTON

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SPECIAL COMMITTEE ON AGING

United States Senate

WASHINGTON, DC 20510-3204

October 25, 2005

The Honorable Nils J. Diaz, Ph.D.
Chairman
Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Dr. Diaz:

Thank you for meeting with me today to discuss several issues of concern related to the Indian Point nuclear power plant.

I requested the meeting on September 21st, when the United States Nuclear Regulatory Commission (NRC) announced that a leak from one of the spent-fuel pools at Indian Point had been discovered weeks earlier. At that time, I stated that the people who live near the plant deserve answers about what happened, whether they are safe, and why they were not told about the problem sooner. In the month since that initial disclosure, some of these questions have been answered, some remain, and new ones have arisen.

My greatest concern about the leaks is that they pose a potential threat to groundwater and drinking water. Last week, Entergy announced several steps it is taking to address the situation: eight more wells will be drilled around Indian Point 2 next month; the liner of the spent-fuel pool will be inspected, starting in the next several weeks; and a mitigation plan will be developed within the next two months. These steps are welcome, but do not comprise a comprehensive plan. I would like your office to provide me as soon as possible with a detailed timeline of how the types, rates, and sources of all of the leaks will be identified, tracked and mitigated. I am particularly concerned that a sufficient number of wells be drilled to enable a full assessment of the extent of contamination. I would also like clarification of the role of the Department of Environmental Conservation (DEC) and the New York State Department of Health as well as other agencies in the testing process.

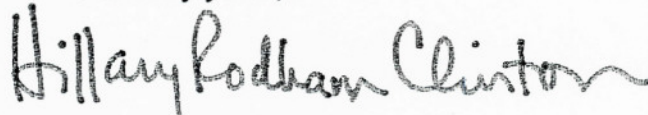
I am also concerned about your public notification procedure, noting that it was several weeks following the leak before the details of the leak became available. I would like your office to provide me as soon as possible with a detailed plan for notification of community and elected officials should any future incidents occur.

In addition, I remain concerned about continued failures of the emergency notification system. Last week, 10 of 16 Indian Point sirens in Orange County failed to function properly when tested on a back-up radio transmission. This latest problem follows several malfunctions of the system over the summer during power outages. As you know, I authored a provision in

the energy bill to require the NRC to require installation of backup power for the Indian Point sirens within 18 months. While this provision was in its final stages of approval, Entergy announced that it planned to install backup power for the sirens. While I welcomed that announcement, I am now concerned that the issue is not receiving timely attention. Given the continuing failures of the system, it is imperative that the NRC move as quickly as possible to require an effective backup system for the Indian Point emergency notification system. Please provide my office with a timeline for implementation as soon as possible.

Thank you for your attention to these important matters. I look forward to your reply.

Sincerely yours,

A handwritten signature in black ink that reads "Hillary Rodham Clinton". The signature is written in a cursive, flowing style with a prominent initial "H".

Hillary Rodham Clinton