

November 15, 2005

The Honorable Thomas P. Morahan  
New York Senate  
Room 818, Legislative Office Building  
Albany, New York 12247

Dear Senator Morahan:

I am writing in response to your letter to NRC Chairman Diaz dated October 26, 2005. In that letter, you expressed concerns about the current status and future plans for the Indian Point Alert and Notification System (ANS), and requested the NRC to investigate the reliability and effectiveness of that system.

The NRC considers emergency notification important to public health and safety. The resident inspectors and region-based specialists have been monitoring Indian Point's short term efforts to address recent equipment failures. Entergy, the licensee for the Indian Point Energy Center, is expected to enter ANS deficiencies into its corrective action program and take timely corrective actions. In addition, Entergy has informed the NRC, via letter dated October 26, 2005, of its short term corrective actions to improve ANS availability and reliability. In a separate letter, dated October 25, 2005, Entergy described its plans to replace the existing siren system with a new system that will incorporate a backup power feature, as specified in the Energy Policy Act of 2005. Copies of the two letters are attached.

With regard to the status of the primary and back-up ANS systems, the NRC is monitoring Entergy's efforts through additional inspections. The NRC is completing an inspection to review the root cause and corrective actions for the recent Indian Point siren system failures. The NRC regularly performs oversight of the Alert and Notification System through the use of a performance indicator and direct inspection effort. The performance indicator (PI) provides test statistics of ANS reliability over a 12 month period and is reported quarterly. Regional inspectors verify ANS testing program compliance and evaluate the adequacy of the test program, maintenance program and supporting procedures on a periodic basis.

At a public meeting on November 16, 2005, the NRC will discuss with Entergy its plans for both near and longer term improvements to the ANS. The Department of Homeland Security/Federal Emergency Management Agency (DHS/FEMA) will also be present at this meeting to discuss Entergy's proposed plans for the implementation of the requirements of the Energy Policy Act of 2005, which includes provisions for back-up power to the sirens. The NRC will subsequently issue a confirmatory order to Entergy requiring back-up power for the ANS.

The NRC is also increasing the level of oversight above the level prescribed by the Reactor Oversight Process (ROP) to provide expanded, long-term inspection of this issue. The NRC considers it prudent to apply additional inspection focus to this specific area, even though Entergy's performance in this area has not crossed any specific ROP thresholds mandating additional regulatory oversight. This increase in oversight was requested by the NRC Regional Administrator and approved by the Executive Director for Operations; a copy of the ROP Deviation Memorandum is attached.

In addition, the NRC has continued to engage DHS/FEMA, the lead Federal agency for offsite emergency preparedness, through discussion of the ANS at regularly scheduled meetings. FEMA has committed to early notification of the NRC on any significant issues arising from the ongoing FEMA-sponsored contractor review of the Indian Point ANS. Also, the NRC plans continued participation in meetings with the affected counties, New York State, DHS/FEMA, and Entergy to ensure a common understanding of stakeholder concerns.

The NRC is committed to ensuring the protection of the public health and safety. We take emergency preparedness very seriously, including reliable and prompt public notification. We appreciate and share your strong interest in protecting the citizens who live in the communities surrounding Indian Point.

Sincerely,

*/RA/*

Samuel J. Collins  
Regional Administrator  
Region I

Enclosures:

1. Entergy's October 26, 2005, letter on Indian Point Energy Center Emergency Plan Siren System Performance and Corrective Actions
2. Entergy's October 25, 2005, letter on Backup Power for Emergency Sirens
3. Indian Point ROP Deviation Memorandum, dated October 28, 2005

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