

December 16, 2005

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

Dear Congresswoman Kelly:

Thank you for the opportunity to meet with you to discuss several important issues concerning the Indian Point Energy Center in Buchanan, New York. Your continued interest in the U.S. Nuclear Regulatory Commission's (NRC's) efforts to ensure the protection of public health and safety is appreciated as the NRC continues its close oversight of Entergy's activities at Indian Point. I appreciated hearing your perspectives on several matters, including the leakage from the spent fuel pools, the effectiveness of the NRC's regulatory oversight, the separation of electrical cables, and the need for prompt and reliable communication.

Since I became Chairman of the NRC on April 1, 2003, numerous internal management changes have been implemented. These include changes of both management and staff in various positions to bring different expertise and fresh perspectives to the various aspects of the NRC's regulatory oversight process. The NRC has also undergone numerous organizational realignments, including the consolidation of emergency preparedness functions into one office to enhance program effectiveness. Furthermore, NRC has been supporting the Department of Homeland Security and the Federal Emergency Management Agency to improve coordination in our respective roles of managing emergency preparedness in an integrated, efficient manner. As a result, NRC's emergency preparedness capabilities are continually being honed and tested.

Emergency preparedness associated with nuclear power plants is of primary concern to the NRC. The NRC has the distinct advantage of many years of practice, routinely exercising its emergency preparedness capabilities with licensees and other Federal, State, and local agencies. This was particularly evident in the integrated NRC response to the 2005 hurricanes. The NRC will do what is necessary to protect the public. We have paid and will continue to pay special attention to emergency preparedness at Indian Point, including enhancing pertinent communications with surrounding communities.

Regarding the tritium contamination on site, the NRC, on September 20, 2005, initiated a special inspection to determine the exact nature and extent of the leak. In addition to the special inspection, the NRC staff has committed additional specialized inspection resources to the Indian Point spent fuel pool leak and on-site tritium contamination issues. I have personally discussed these issues with Entergy management and they recognize their accountability for clearly identifying the necessary steps to complete the investigation of these issues in a timely manner, with NRC oversight, and to keep the public well informed of these activities. We will pursue the establishment of a more definitive timeline as soon as the pertinent determinations are made, and I will continue to closely monitor these efforts.

The NRC has conducted an extensive independent review of cable separation at the Indian Point plant. In order to address any safety concerns that you may have regarding electrical cable separation, I would be pleased to provide the appropriate NRC experts to accompany you and your staff on a “walkdown” of the plant to provide you first hand knowledge of the issue. NRC will coordinate with you and Entergy to set a date sometime in January.

The NRC strives to provide accurate, timely, and complete information about the safety performance of licensees. The NRC’s communications with your office concerning the recent Indian Point issues were not always as timely as they should have been. I hold myself and the NRC staff accountable for the discharge of the NRC’s responsibilities, including prompt and effective communications with the public and elected officials. I am committed to improving communications with your office and I have directed our new Director of the Office of Congressional Affairs, Ms. Rebecca Schmidt, to ensure that you are currently informed.

I remain committed to providing the necessary oversight to protect the public health and safety and look forward to working with you on our shared desire to keep the people of New York better informed.

Sincerely,

/RA/

Nils J. Diaz