

Release

August 23, 2004

Mr. Alex Matthiessen
Executive Director
Riverkeeper, Inc.
25 Wing & Wing
Garrison, NY 10524

Dear Mr. Matthiessen:

On behalf of the Nuclear Regulatory Commission (NRC), I am responding to your letter to Mr. Hubert Miller, former Region 1 Administrator, dated June 21, 2004. In your letter, you expressed concerns regarding the emergency preparedness exercise held on June 8, 2004, at the Indian Point Energy Center.

As you know, power plants conduct a variety of exercises and drills on a recurring basis, including an emergency plan exercise with offsite authorities at least once every two years. The Federal Emergency Management Agency (FEMA), through its Radiological Emergency Preparedness Program, evaluates exercises of offsite response plans and procedures. These exercises test the capability of offsite response organizations, which are the State and local agencies responsible for responding to incidents involving nuclear power plants, to perform their duties in accordance with the provisions of their plans. This activity is undertaken pursuant to FEMA regulations and a Memorandum of Understanding (MOU) between FEMA and NRC.

The purpose of the June 2004 exercise was to evaluate radiological emergency response as well as provide an opportunity for the NRC, FEMA and others to learn from the terrorism-related aspects of this exercise. As in other radiological emergency preparedness exercises, on-site equipment, that would normally be available in a real situation, was assumed to fail in order to test the on-site and off-site emergency response. With the completion of the June 2004 exercise, Indian Point became the first plant in the nation to test the three basic components of security and emergency preparedness: on-site security (through a "force-on-force" exercise last year); off-site crisis management by combined Federal, State and local security/law enforcement resources (through a "table-top" exercise in April of this year); and emergency preparedness functions (through the June 2004 exercise).

The June 8, 2004, exercise was a realistic reflection of the timing and overall progression of events that could potentially occur as a result of a severe terrorist attack, based on extensive analysis. Since September 11, 2001, national experts have conducted detailed engineering studies of severe attack scenarios, including deliberate use of large commercial aircraft, using state-of-the-art structural and fire analyses and enhanced methodologies, to predict accident progression and radiological consequences realistically. The specific details of these studies and their results are classified. However, we are making the conclusions publicly available to assist in appropriate emergency planning. The studies confirm that the likelihood of both damaging the Indian Point reactor core and releasing radioactivity that could affect public health and safety is low. Significant time beyond the minimum frame used for the emergency planning basis would be available to implement plant mitigating measures and offsite emergency plans.

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Therefore, the studies confirm that even in the unlikely event of a radiological release due to terrorist use of a large aircraft, NRC's emergency planning basis remains valid. Emergency plans are designed to be flexible and can be modified as necessary to meet new challenges. The onsite and offsite emergency plans are routinely reviewed and updated to incorporate new information. Emergency planning activities, such as drills and exercises, provide valuable training for responders and participants as well as identify good practices and areas for improvement. Weaknesses or deficiencies identified as a result of exercises, drills, or real events, are corrected, and the effectiveness of these actions is again evaluated during subsequent drills and exercises.

As you know, FEMA has the lead for assessing offsite planning and response activities conducted by the licensee and State and local governments, while NRC reviews and assesses the onsite planning and response. FEMA findings as to the adequacy and capability of implementing offsite plans are communicated to the NRC. Preliminary findings of FEMA and NRC indicate that the June 8, 2004, exercise was successful in testing various emergency plan functions and the performance of offsite and onsite organizations was successful for protecting the public in the event of a radiological emergency. The NRC exercise report is included for your information.

The NRC considers public involvement in, and information about, our activities to be a cornerstone of strong, fair regulation of the nuclear industry. We, at the NRC, appreciate and share your strong interest in protecting the citizens who live in the communities surrounding the Indian Point Energy Center.

Sincerely,

/RA/

Roy P. Zimmerman, Director
Office of Nuclear Security and Incident Response

Enclosure: As stated

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Roy P. Zimmerman, Director
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Enclosure: As stated

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