

EDO Principal Correspondence Control

FROM: DUE: 06/13/07

EDO CONTROL: G20070347
DOC DT: 05/14/07
FINAL REPLY:

Anthony W. Sutton
Department of Emergency Services
Westchester County, New York

TO:

Collins, RI

FOR SIGNATURE OF :

** GRN **

CRC NO:

Carpenter, OE

DESC:

NRC Siren Fine/Entergy/Indian Point

ROUTING:

Reyes
Virgilio
Kane
Ash
Silber
Ordaz
Burns
Collins, RI
Cyr, OGC
Zimmerman, NSIR
Dyer, NRR

DATE: 05/16/07

ASSIGNED TO:

OE

CONTACT:

Carpenter

SPECIAL INSTRUCTIONS OR REMARKS:

Coordinate with Region I and OGC.

Template: EDO-001

E-RIDS: EDO-01



Andrew J. Spano
County Executive



Department of Emergency Services

Anthony W. Sutton
Commissioner

John E. Jackson
Deputy Commissioner

May 14, 2007

Samuel J. Collins
Regional Administrator
United States Nuclear Regional Commission Region 1
475 Allendale Road
King of Prussia, PA 19406-1415

Dear Mr. Collins:

I wanted to follow up in writing on Westchester County's request that the entire NRC siren fine assessed on Entergy be earmarked for emergency planning in the 4 counties tasked with maintaining radiological emergency preparedness plans for the Indian Point Energy Center. Westchester County recognizes that Entergy Nuclear Northeast is in violation of a commission order, subject to penalty and which has caused the counties to continue to rely on an aged siren system that was due to be replaced in January. Applying that fine to the area where the public is impacted by the delayed siren project is not only appropriate, but warranted. It is a fact that the annual funding covers only a portion of the time and resources the counties contribute to emergency planning and preparedness related to Indian Point. The balance of planning expenses is unfortunately left to be picked up by our taxpayers. It is appropriate that this fine be directed toward emergency planning for the counties particularly if it is applied to enhancement of public emergency notification capabilities.

It is our position that this practice is not without precedent. In fact a division of my Department recently benefited directly by a fine levied by the EPA against a corporation found to be in violation of its regulations. In that case, the corporation was given the choice of paying the fine to the agency or funding a project directly related to the program covered by the violated regulation. Entergy Officials indicated during a recent stakeholder call that they would be interested in exploring such an alternative.

I respectfully await your response and encourage the Nuclear Regulatory Commission to carefully consider the challenges the counties face each day and seize this opportunity to turn the unfortunate delay of the siren system into a public safety planning initiative.

Sincerely,

Anthony W. Sutton
Commissioner

cc: Honorable Charles E. Schumer
Honorable Hillary Rodham Clinton
Honorable Nita M. Lowey
Honorable John Hall
Honorable Eliot L. Engel
Honorable Robert J. Bondi
Honorable Edward A. Diana
Honorable C. Scott Vanderhoef

EDO --G20070347

Westchester County
 Department of Emergency Services
 4 Dana Road
 Valhalla, NY 10595



Administrative Offices: (914) 231-1851 (914) 231-1622 (fax)
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 Emergency Mgmt. (914) 864-5454 (914) 231- (fax)

FAX COVER SHEET

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DATE: 5/14/07

TO: Samuel J. Collins (610) 337-5241 Fax
 Regional Administrator
 United States Nuclear Regional Commission Region 1
 475 Allendale Road
 King of Prussia, PA 19406-1415

FROM: Anthony W. Sutton, Commissioner
 Westchester County Department of Emergency Services
 (914) 231-1688

DIVISION: FIRE EMS OEM X ADMIN.

Message: Letter dated 5/14/07 to Samuel J. Collins
 RE: NRC Siren Fine

Please confirm that the NRC has received this fax by calling (914) 231-1700
 Thank you.
 Linda Luddy

Please deliver this FAX as soon as possible!