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NRC ISSUES ORDER TO ENTERGY ON INDIAN POINT SIRENS

The Nuclear Regulatory Commission has issued a second order to Entergy regarding the emergency notification system (ENS) at the Indian Point Energy Center in Buchanan, N.Y. The NRC first issued a Confirmatory Order in January 2006 requiring the installation of back-up power for the ENS at the Indian Point, in response to a provision in the Energy Policy Act.

Today's order supplements the earlier order by requiring Entergy to declare its new system operable by August 24 based upon the new system meeting the appropriate design criteria and requirements, and reliably operating in all modes. Today's order also requires that Entergy obtain Federal Emergency Management Agency (FEMA) approval of the new system prior to declaring the system operable and declaring it the primary system.

Further, Entergy must have completed all necessary hardware, software and procedure upgrades and trained members of the four county emergency response organizations in its use. Finally, the existing ENS must remain fully available until FEMA grants approval to remove it from service. Within seven days, Entergy must provide to the NRC a description of the steps it understands are necessary to meet applicable FEMA requirements to place the new system into service as the primary notification system.

The Energy Policy Act included a provision directing the NRC to require nuclear power plants located within certain population densities to have back-up power for their emergency notification systems, including sirens. Indian Point is the only nuclear plant that fell within the requirement. To address this provision, Entergy decided to install a new siren system.

The 2006 NRC order initially required Entergy to have the new system in operation by Jan. 30, 2007. However, the company was unable to meet that deadline and requested an extension to April 15. The NRC approved that request on Jan. 23. On April 13, Entergy requested a second extension, but the NRC denied that request the same day after determining the company had not demonstrated "good cause" and that the factors and difficulties encountered in meeting the April 15th deadline were "reasonably within Entergy's control." On April 23, the NRC proposed a \$130,000 fine to Entergy for failing to meet the terms of the order. Entergy paid the fine and committed to having the system operable by August 24th.

Like other U.S. commercial nuclear power plants, Indian Point is required to have an ENS within the emergency planning zone around the facility. The system is designed to promptly notify the public should a serious incident occur at the plant so that citizens can listen to emergency broadcast stations for information and instructions.

In the letter transmitting the order, Office of Enforcement Director Cynthia A. Carpenter, said, “The NRC recognizes that the existing ENS is capable of alerting the general public in the vicinity of Indian Point if an emergency condition occurs. However, the system does not meet the requirements of the Act as imposed by the January 31, 2006, Confirmatory Order because it does not have the backup power supply capability.”

Entergy, or any person adversely affected by this order, may request a hearing within 20 days of the issuance of the order.

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