

EDO Principal Correspondence Control

FROM: DUE: 09/07/07

EDO CONTROL: G20070593
DOC DT: 08/24/07
FINAL REPLY:

Representative Nita M. Lowey

TO:

Chairman Klein

FOR SIGNATURE OF :

** GRN **

CRC NO: 07-0563

Chairman Klein

DESC:

ROUTING:

Entergy Nuclear Northeast - Indian Point -
Certified Emergency Siren System
(EDATS: SECY-2007-0299)

Reyes
Virgilio
Kane
Ash
Ordaz
Cyr/Burns
Dyer, NRR
Zimmerman, NSIR
Carpenter, OE
Collins, RI
Schmidt, OCA

DATE: 08/27/07

ASSIGNED TO:

CONTACT:

EDO

Taylor

SPECIAL INSTRUCTIONS OR REMARKS:

Template: SECY-017

E-RIDS: SECY-01

EDATS

Electronic Document and Action Tracking System

EDATS Number: SECY-2007-0299

Initiating Office: SECY

General Information

Assigned To: OEDO

OEDO Due Date: 9/7/2007 5:00 PM

Other Assignees:

SECY Due Date: 9/11/2007 5:00 PM

Subject: Entergy Nuclear Northeast - Indian Point - Certified Emergency Siren System

Description:

CC Routing: NSIR; OE; NRR; OCA

ADAMS Accession Numbers - Incoming: NONE

Response/Package: NONE

Other Information

Cross Reference Number: G20070593, LTR-07-0563

Staff Initiated: NO

Related Task:

Recurring Item: NO

File Routing: EDATS

Agency Lesson Learned: NO

Process Information

Action Type: Letter

Priority: Medium

Signature Level: Chairman Klein

Sensitivity: None

Urgency: NO

OEDO Concurrence: YES

OCM Concurrence: NO

OCA Concurrence: NO

Special Instructions:

Document Information

Originator Name: Representative Nita M. Lowey

Date of Incoming: 8/24/2007

Originating Organization: Congress

Document Received by SECY Date: 8/27/2007

Addressee: Chairman Klein

Date Response Requested by Originator: 9/7/2007

Incoming Task Received: Letter

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: Aug 27, 2007 11:39

PAPER NUMBER: LTR-07-0563 **LOGGING DATE:** 08/27/2007
ACTION OFFICE: EDO

AUTHOR: REP Nita Lowey
AFFILIATION: CONG
ADDRESSEE: Dale Klein
SUBJECT: Concerns deadline missed by Entergy Nuclear Northeast to established a certified emergency siren system with back up power at the Indian Point Energy Center

ACTION: Signature of Chairman
DISTRIBUTION: RF, OCA to Ack

LETTER DATE: 08/24/2007
ACKNOWLEDGED: No
SPECIAL HANDLING: Commission Correspondence

NOTES:
FILE LOCATION: ADAMS

DATE DUE: 09/11/2007 **DATE SIGNED:**

COMMITTEE ON APPROPRIATIONS

SUBCOMMITTEES
LABOR, HEALTH AND HUMAN SERVICES,
AND EDUCATION

FOREIGN OPERATIONS,
EXPORT FINANCING AND
RELATED PROGRAMS

COMMITTEE ON HOMELAND SECURITY

SUBCOMMITTEES
INTELLIGENCE, INFORMATION SHARING AND
TERRORISM RISK ASSESSMENT

EMERGENCY PREPAREDNESS, SCIENCE,
AND TECHNOLOGY



Nita M. Lowey
Congress of the United States
18th District, New York

August 24, 2007

WASHINGTON
2220 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20518
TEL: 202-225-3508
FAX: 1202 225-0548

POCONO
1641 838-3438

WESTCHESTER
222 HAWARONECK AVENUE
SUITE 310
WHITE PLAINS, NY 10606
(914) 438-1707
FAX: (914) 326-1506

GRAINTON I. WILL LIBRARY
1800 CENTRAL PARK AVENUE
YONKERS, NY 10710
(914) 778-8758
(By Appointment)

Dale E. Klein
Chairman
Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, MD 20855

Dear Chairman Klein:

I am writing you regarding yet another deadline Entergy Nuclear Northeast has missed today to establish a certified emergency siren system with back-up power at the Indian Point Energy Center.

As you know, the Federal Emergency Management Agency has the ultimate responsibility for declaring the system operational. This requires Entergy to adhere to FEMA guidelines and to provide the agency with information in a timely manner to determine whether the system is operational.

In recent weeks, Entergy has initiated an aggressive public relations campaign claiming it would meet today's deadline for an operational siren system with the proper back-up power. Yet, the company submitted just this week the appropriate noise data to FEMA for a review process that takes approximately 45 days in order to actually certify that the system is compliant.

Entergy has had two years in which to comply with the law, yet this is the third time this year it has missed the deadline for making operational one of the most fundamental components of the emergency preparedness plans for the Indian Point nuclear facility. Such negligence puts our communities at risk should there be an emergency and is simply unacceptable.

While I am pleased that the NRC levied a fine earlier this year of \$130,000 for Entergy's failure to meet previous deadlines for the siren system, I urge you to now levy a much more substantial fine for its repeated failure to operate a certified siren system.

I hope you agree with me that our primary concern for any nuclear facility should be that it can safely operate within its community. In order to protect the region surrounding Indian Point, I encourage you to work with FEMA to expedite its review of operations of the siren system and to use every tool at your disposal - especially heavy fines - to enforce the vital safety and security regulations that Entergy continues to fail to uphold.

Sincerely,


Nita M. Lowey
Member of Congress