

EDO Principal Correspondence Control

FROM: DUE: 01/08/08 EDO CONTROL: G20070895
DOC DT: 12/21/07
FINAL REPLY:

Senator Hilliary Rodham Clinton

TO:

Chairman Klein

FOR SIGNATURE OF : ** GRN ** CRC NO: 07-0829

Chairman Klein

DESC:

ROUTING:

Failure of Entergy to Install an Adquate New
Emergency Siren System; and the Coming Move to
Dry Cask Storage of Spent Fuel at Indian Point
(EDATS: SECY-2007-0579)

Reyes
Virgilio
Mallett
Ash
Ordaz
Burns
Dyer, NRR
Weber, NMSS
Schmit, OCA
Cyr, OGC
Ridge, OEDO

DATE: 12/21/07

ASSIGNED TO: CONTACT:
RI Collins

SPECIAL INSTRUCTIONS OR REMARKS:

Coordinate with NRR and NMSS.

Template: SECY-017

E-RIDS: SECY-01

EDATS Number: SECY-2007-0579

Source: SECY

General Information

Assigned To: Region I

OEDO Due Date: 1/8/2008 5:00 PM

Other Assignees:

SECY Due Date: 1/10/2008 5:00 PM

Subject: Failure of Entergy to Install an Adequate New Emergency Siren System and the Coming Move to Dry Cask Storage of Spent Fuel at Indian Point

Description:

CC Routing: NRR; NMSS; OGC; OCA

ADAMS Accession Numbers - Incoming: NONE

Response/Package: NONE

Other Information

Cross Reference Number: G20070895, LTR-07-0829

Staff Initiated: NO

Related Task:

Recurring Item: NO

File Routing: EDATS

Agency Lesson Learned: NO

Roadmap Item: NO

Process Information

Action Type: Letter

Priority: Medium

Sensitivity: None

Signature Level: Chairman Klein

Urgency: NO

OEDO Concurrence: YES

OCM Concurrence: NO

OCA Concurrence: NO

Special Instructions: Coordinate with NRR and NMSS.

Document Information

Originator Name: Chairman Klein

Date of Incoming: 12/21/2007

Originating Organization: Congress

Document Received by SECY Date: 12/21/2007

Addressee: Chairman Klein

Date Response Requested by Originator: 1/8/2008

Incoming Task Received: Letter

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: Dec 21, 2007 15:09

PAPER NUMBER: LTR-07-0829 **LOGGING DATE:** 12/21/2007
ACTION OFFICE: EDO

AUTHOR: SEN Hillary Rodham Clinton
AFFILIATION: CONG
ADDRESSEE: CHRM Dale Klein
SUBJECT: Concerns failure of Entergy to install an adequate new emergency siren system; and the coming move to dry cask storage of spent fuel at Indian Point

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

LETTER DATE: 12/21/2007
ACKNOWLEDGED: No
SPECIAL HANDLING:

NOTES:

FILE LOCATION: ADAMS
DATE DUE: 01/10/2008 **DATE SIGNED:**

EDO --G20070895

HILLARY RODHAM CLINTON
NEW YORK
SENATOR

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SPECIAL COMMITTEE ON AGING

United States Senate

WASHINGTON, DC 20510-3204

December 21, 2007

Dr. Dale E. Klein
Chairman
Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Chairman Klein:

I have worked hard over the last six years to push both the Nuclear Regulatory Commission (NRC) and Entergy to improve safety, security and emergency preparedness at Indian Point. While improvements have been made, problems persist at the plant. At the same time, new issues and challenges continue to emerge. I write today regarding two issues that exemplify these two types of concerns: the failure of Entergy to install an adequate new emergency siren system; and the coming move to dry cask storage of spent fuel at Indian Point.

I am extremely dismayed about the continued failure of Entergy to put a siren system in place that meets the requirements of the Energy Policy Act of 2005, and the related Nuclear Regulatory Commission orders. We will soon reach the one year anniversary of the date by which the new siren system with backup power was supposed to be in place. When that original deadline approached, Entergy applied for and received an extension of the deadline to April 15th of 2007. Entergy subsequently missed that extended deadline, and was fined \$130,000 by the NRC. Since that time, Entergy and the Federal Emergency Management Agency (FEMA) have been in talks to discuss how the new siren system can be modified to meet the applicable requirements. In my view, it is time for the NRC to become more involved in order to drive these talks to a conclusion, and then to use its enforcement tools to force Entergy to devote the resources that are required to achieve the long-delayed goal of having a new siren system in place that complies with the law and enhances public safety.

In addition, I note that Entergy will soon move spent fuel rods from pools at Indian Point to dry cask storage on site. This action will have benefits; in particular, it will enable Indian Point to empty the spent fuel pool that has been leaking water contaminated with strontium 90 into the environment. At the same time, any action involving spent fuel presents potential hazards and security risks. With these risks in mind, I urge you to take whatever measures are required to ensure that Entergy puts public safety and security first during this new phase of operations at Indian Point.

The continuing drumbeat of problems at Indian Point has undermined public confidence in both Entergy and the NRC. How the siren and dry cask storage issues are handled in the coming months will send a signal to the public about whether there is a renewed commitment to

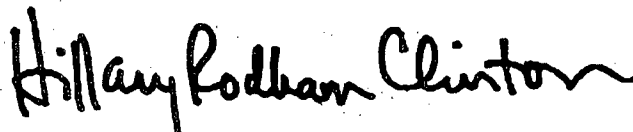
Received SECY/C&R

Date: 12/21/07

Time: 2:10 p.m.

public safety by federal regulators and the plant's owners. I urge the NRC to use this opportunity to demonstrate a new seriousness about getting it right at Indian Point.

Sincerely yours,

A handwritten signature in black ink that reads "Hillary Rodham Clinton". The signature is written in a cursive, flowing style with a prominent initial "H" and a long, sweeping underline.

Hillary Rodham Clinton