

EDO Principal Correspondence Control

FROM: DUE: 01/10/08

EDO CONTROL: G20070904

DOC DT: 12/21/07

FINAL REPLY:

Representative John Hall  
Representative Nita M. Lowey  
Representative Eliot L. Engel  
Representative Maurice D. Hinchey

TO:

Chairman Klein

FOR SIGNATURE OF :

\*\* PRI \*\*

CRC NO: 07-0835

Chairman Klein

DESC:

ROUTING:

Fire Protection Program at Indian Point Nuclear  
Generating Unit 3 (EDATS: SECY-2007-0587)

Reyes  
Virgilio  
Mallett  
Ash  
Ordaz  
Cyr/Burns  
Collins, RI  
Schmidt, OCA  
Mensah, OEDO

DATE: 12/31/07

ASSIGNED TO:

CONTACT:

NRR

Dyer

SPECIAL INSTRUCTIONS OR REMARKS:

Template: SECY-017

E-RIDS: SECY-01

# EDATS

Electronic Document and Action Tracking System

**EDATS Number:** SECY-2007-0587

**Source:** SECY

## General Information

**Assigned To:** NRR

**OEDO Due Date:** 1/10/2008 5:00 PM

**Other Assignees:**

**SECY Due Date:** 1/14/2008 5:00 PM

**Subject:** Fire Protection Program at Indian Point Nuclear Generating Unit 3

**Description:**

**CC Routing:** Region I; OCA

**ADAMS Accession Numbers - Incoming:** NONE

**Response/Package:** NONE

## Other Information

**Cross Reference Number:** G20070904, LTR-07-0835

**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:**

## Document Information

**Originator Name:** Rep. Hall/Rep. Lowey/Rep. Engel/Rep. Hinchey

**Date of Incoming:** 12/21/2007

**Originating Organization:** Congress

**Document Received by SECY Date:** 12/31/2007

**Addressee:** Chairman Klein

**Date Response Requested by Originator:** NONE

**Incoming Task Received:** Letter

OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

Date Printed: Dec 28, 2007 16:35

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**PAPER NUMBER:** LTR-07-0835 **LOGGING DATE:** 12/28/2007  
**ACTION OFFICE:** EDO  
  
**AUTHOR:** REP John Hall  
**AFFILIATION:** CONG  
**ADDRESSEE:**  
**SUBJECT:** Fire protection program at Indian Point Nuclear Generating Unit No. 3  
  
**ACTION:** Signature of Chairman  
**DISTRIBUTION:** RF, OCA to Ack  
  
**LETTER DATE:** 12/21/2007  
**ACKNOWLEDGED:** No  
**SPECIAL HANDLING:** Comr. Correspondence  
**NOTES:**  
**FILE LOCATION:** ADAMS  
  
**DATE DUE:** 01/14/2007 **DATE SIGNED:**

EDO --G20070904

# Congress of the United States

Washington, DC 20515

December 21, 2007

**Via First Class Mail**

The Honorable Dale E. Klein  
Chairman  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

**Re: Fire Protection Program at Indian Point Nuclear Generating Unit No. 3**

Dear Chairman Klein:

We are writing to express serious concern with the Nuclear Regulatory Commission's (NRC) decision, issued September 28, 2007, and published at 72 Federal Register 56798-56801 under docket number 50-286 on October 4, 2007, to grant a revision of existing exemptions to Entergy Nuclear Operations, Inc. (Entergy) for specific requirements of the Fire Protection Program for Indian Point Nuclear Generating Unit No. 3. In particular, we are troubled by the lack of opportunity for public comment on this decision.

The safety of Indian Point continues to be one of the most serious issues facing the Hudson Valley region. Indian Point is located near our nation's largest metropolitan area, and has an operational history that has been plagued by unusual events, including unplanned shutdowns, leaking spent fuel pools, and a failure to install a working siren system. Indian Point's unique characteristics make it imperative that the strengthening, not weakening, of safety requirements should be the ultimate goal of any regulatory process or decision.

It is our understanding that Entergy requested, and the NRC granted, a revision of existing exemptions to reduce the fire rating requirements for certain fire barriers. Fire rating requirements were designed to ensure that, in the event of a fire, equipment critical to the maintenance of hot shut down conditions would continue to function and prevent serious, perhaps catastrophic damage. Given the stakes, we believe that altering the safety standard to meet the capability of the material represents a reversal of priorities, and we are concerned by NRC's decision to unilaterally approve the exemption.

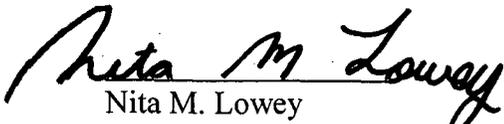
Accordingly, we request that you (1) review again this issue with ample opportunity for the expression of public concern, and (2) include it as an issue to be addressed within the larger context of Indian Point's License Renewal Application.

Thank you for your attention to this important matter.

Sincerely,

  
John Hall  
MEMBER OF CONGRESS

  
Eliot L. Engel  
MEMBER OF CONGRESS

  
Nita M. Lowey  
MEMBER OF CONGRESS

  
Maurice D. Hinchey  
MEMBER OF CONGRESS

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DATE

BY

U.S. HOUSE OF REPRESENTATIVES

WASHINGTON, DC 20515-3217

**PUBLIC DOCUMENT**

OFFICIAL BUSINESS

*Eliot L. Engel*  
M.C.

The Honorable Dale E. Klein  
Chairman  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555



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