

February 12, 2008

Mr. Thomas Gurdziel
9 Twin Orchard Drive
Oswego, NY 13126

Dear Mr. Gurdziel:

On behalf of the Nuclear Regulatory Commission (NRC), I am responding to your letter addressed to the NRC's Executive Director for Operations, Luis Reyes, dated January 24, 2008. In your letter, you suggested methods the NRC could use to ensure that Entergy Nuclear Operations, Inc. (Entergy), the licensee for Indian Point Nuclear Generating Unit Nos. 2 and 3, complies with the NRC Orders to have an operable siren system with backup power. Your letter was referred to the Office of Nuclear Reactor Regulation (NRR) for a response.

As you know, the NRC issued a \$130,000 civil penalty to Entergy on April 23, 2007, and a \$650,000 civil penalty on January 24, 2008, due to Entergy's failure to have the new siren system operable. As I noted in my previous letter to you, dated November 19, 2007, the NRC recognizes that Entergy's inability to implement their new siren system raises concerns in the community. The current siren system at Indian Point remains operable and is capable of alerting the public of an event at the plant, although it is not equipped with backup power. The capabilities of the current siren system, combined with the other public notification methods available to the local counties, provide assurance that the surrounding communities can be notified in the case of an emergency. However, we do not take Entergy's noncompliance lightly. We are closely monitoring Entergy's progress. Entergy is working with the Federal Emergency Management Agency (FEMA) to meet FEMA's requirements for the new siren system. Our current understanding is that additional sirens are being installed and some technical difficulties remain to be resolved. This process may take several months.

The NRC will continue to take enforcement actions as needed to achieve compliance by Entergy with the existing Orders, while protecting public health and safety in the interim. The NRC is actively monitoring the situation and will ensure that Entergy continues to make progress on the new siren system.

Thank you for your interest in these matters.

Sincerely,

/ra/

Catherine Haney, Director
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

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Catherine Haney, Director
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

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Mr. Gurdziel Ltr re: Energy - Indian Point Siren System Fine to NRC's Executive Director for Operations, Luis Reyes, dated January 24, 2008

DATED: February 12, 2008

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