

BENJAMIN A. GILMAN  
20th District, New York

POST OFFICE AND CIVIL  
SERVICE COMMITTEE

FOREIGN AFFAIRS COMMITTEE  
(RANKING MINORITY MEMBER)

SUBCOMMITTEE:  
POSTAL SERVICES AND  
OPERATIONS

SUBCOMMITTEE:  
EUROPE AND MIDDLE EAST

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-3220**

August 4, 1994

RECEIVED - SENATOR  
AUG 12 P 3 55

Ms. Diane Screnici  
Public Information Officer  
U.S. Nuclear Regulatory Commission, Region 1  
475 Allandale Road  
King of Prussia, PA 19406

Dear Ms. Screnici:

I have received the attached communication from my constituent, Ms. Sara Diamond of Spring Valley, New York, regarding her concerns about the safety of the Indian Point Nuclear Plant.

I would welcome your review and every consideration which can be given to this matter will be appreciated.

Please provide me with a report of your findings when your review has been completed and have the letter returned to me with your reply.

Thank you for your kind attention.

Sincerely,

BENJAMIN A. GILMAN  
Member of Congress

BAG:rma

PLEASE REPLY TO:

WASHINGTON OFFICE:  
2185 RAYBURN BUILDING  
WASHINGTON, DC 20515-3220  
 TELEPHONE: (202) 225-3778

DISTRICT OFFICE:  
407 EAST MAIN STREET  
SUITE 2,  
P.O. Box 358  
MIDDLETOWN, NY 10940-0358  
 TELEPHONE: (914) 343-6666

DISTRICT OFFICE:  
377 ROUTE 59  
MONSEY, NY 10952-3488  
 TELEPHONE: (914) 357-8000

DISTRICT OFFICE:  
32 MAIN STREET  
HASTINGS-ON-HUDSON,  
NY 10706-1802  
 TELEPHONE: (914) 478-5550

THIS STATIONERY PRINTED ON PAPER MADE WITH RECYCLED FIBERS

9409260082 940919  
PDR ADOCK 05000247  
F PDR

27 Hansen Court  
Spring Valley, NY 10977  
April 26, 1994

The Honorable Benjamin Gilman  
House of Representatives  
Washington D.C. 20515

Dear Representative Gilman:

As a tax payer in your district, I am very concerned about conditions at Indian Point Power Plant. I feel the conditions are dangerous to our families, and I want to either put an stop to Indian Point being run or prepare to make strong accusations about it. Just yesterday, my child came home from Pomona Junior High School and brought to my attention, by her Social Studies teacher, that we live in the 10 mile radius of Indian Point. That means that if something goes wrong there, this area will have to be evacuated, my child will probably die from radiation because what bus driver would be stupid enough to drive these children either home or out of the 10 mile radius? I have another question. Who are those responsible for approving construction to build a Power Plant, which can leak radiation, on a fault line? There have been at least three emergencies at Indian Point, having to do with radiation, and THAT is what made me write this letter. My family is in danger, and we're not about to move if I can do something about this situation. I want you to at least try to close or establish stricter laws so Indian Point will not be a danger anymore. If you want to even THINK about being re-elected, you better think about this situation. Thank you for your time.

Sincerely,



Sara Diamond

50-247



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

September 19, 1994

The Honorable Benjamin A. Gilman  
United States House of Representatives  
Washington, DC 20515-3220

Dear Congressman Gilman:

I am responding to your request for a review of the concerns about the safety of the Indian Point Power Plant expressed by your constituent Ms. Sara Diamond in her letter to you of April 26, 1994. Please note that two nuclear power plants operate at the Indian Point site: Indian Point Generating Unit No. 2 (IP2), owned and operated by the Consolidated Edison Company of New York, Inc., and Indian Point Generating Unit No. 3 (IP3), owned and operated by the New York Power Authority.

Ms. Diamond's first concern pertained to the process for evacuating people out of the area within a 10-mile radius of the Indian Point plant in the event of an emergency. The following discussion of the emergency preparedness process addresses this concern.

With regard to evacuation in the event of a radiological emergency at the Indian Point station, it might be helpful to explain the role of emergency planning and preparedness in the Nuclear Regulatory Commission's (NRC's) defense-in-depth approach to ensuring adequate protection of the public health and safety. Briefly stated, this safety philosophy (1) requires high quality in the design, construction, and operation of nuclear power plants to reduce the likelihood of malfunctions in the first instance; (2) recognizes that equipment can fail and operators can make mistakes, therefore requiring safety systems to reduce the chances that malfunctions will lead to accidents that release fission products from the fuel; and (3) recognizes that, in spite of these precautions, serious fuel damage accidents can happen, therefore requiring containment structures and other safety features to prevent the release of fission products off site. The added feature of emergency planning to the defense-in-depth philosophy provides that, even in the unlikely event of an offsite fission product release, there is reasonable assurance that emergency protective actions can be taken to protect the population around nuclear power plants. The Federal Emergency Management Agency, the lead Federal agency responsible for evaluating the State and local emergency plans for areas around nuclear power plants, has assessed the adequacy of the plans for the Indian Point station and concluded that there is reasonable assurance that the public can be protected in the event of a radiological emergency at the plant.

The State of New York, in coordination with the local counties, has established a 10-mile emergency planning zone (EPZ) around the Indian Point site in accordance with NRC's regulations. This EPZ represents the area around the plant for which detailed planning is in place for facilitating

230023

9409260077 6pp.

NRC FILE CENTER COPY

ACRS-3  
DFOI

prompt protective actions for the public in the event of a radiological emergency at Indian Point. These protective actions include provisions for evacuating children attending school within the EPZ. In the unlikely event of a radiological emergency at Indian Point, the Rockland County emergency plan specifically directs the early evacuation of schoolchildren to further reduce the likelihood of exposing them to radioactive fission products that might be released from the plant. This evacuation would be carried out by bus drivers assigned to each school within the EPZ. The bus drivers are trained in evacuation procedures and are knowledgeable of the evacuation routes. If Ms. Diamond would like more information concerning the evacuation plans for her community, she can contact the Rockland County Office of Emergency Services. She can also consult the public information brochure that is distributed annually by the Indian Point plant to the residents within the 10-mile EPZ.

Ms. Diamond's second concern pertained to approval for the construction of a power plant, capable of leaking radiation, on a fault line. The following discussion of the consideration given to seismic design during the licensing process addresses this concern.

As part of the construction permit and operating license processes, the Indian Point site has undergone thorough geologic and seismic investigations and reviews. Contrary to Ms. Diamond's implication in her letter to you, there are no known active faults at the Indian Point site.

In addition to the fact that the site for a nuclear power plant is thoroughly investigated, in the design and construction of nuclear power plants the engineers are required to use industry codes and practices that are far more stringent than those used in the design of residences and commercial buildings. This results in nuclear power plants capable of resisting earthquake ground motions well beyond their design bases. As a safety requirement strong ground motion seismic instruments are located in and near nuclear power plants. If the ground motion at a site exceeds that of the operating basis earthquake, which is one-half or less of the safe shutdown earthquake, the plant is required to be shut down and be kept in a shutdown condition. Before resuming operations, the licensee is required to demonstrate to the Commission that no functional damage has occurred to those plant features necessary for continued operation without undue risk to the health and safety of the public.

Ms. Diamond stated that there have been at least three emergencies at Indian Point involving radiation and that these cases caused her to write the letter. Since Ms. Diamond did not identify the three emergencies, the NRC staff reviewed the event reports from each of the plants at the Indian Point site back to 1985. In its review of event reports, the staff found no events that have been classified higher than the lowest severity level, Notification of

27 Hansen Court  
Spring Valley, HI. 10971  
April 26, 1994

The Honorable Benjamin Gilman  
House of Representatives  
Washington D.C. 20515

Dear Representative Gilman:

As a tax payer in your district, I am very concerned about conditions at Indian Point Power Plant. I feel the conditions are dangerous to our families, and I want to either put an stop to Indian Point being run or prepare to make strong accusations about it. Just yesterday, my child came home from Pomona Junior High School and brought to my attention, by her Social Studies teacher, that we live in the 10 mile radius of Indian Point. That means that if something goes wrong there, this area will have to be evacuated, my child will probably die from radiation because what bus driver would be stupid enough to drive these children either home or out of the 10 mile radius? I have another question. Who are those responsible for approving construction to build a Power Plant, which can leak radiation, on a fault line? There have been at least three emergencies at Indian Point, having to do with radiation, and THAT is what made me write this letter. My family is in danger, and we are not about to move if I can do something about this situation. I want you to at least try to close or establish stricter laws so Indian Point will not be a danger anymore. If you want to even THINK about being re-elected, you better think about this situation. Thank you for your time.

Sincerely,



Sara Diamond

Honorable Benjamin A. Gilman

~~3~~

Unusual Event, and, therefore, none indicating the failure of even one of the three defense in-depth barriers discussed above. Five of the event reports (three from IP2 and two from IP3) were required because a potentially contaminated injured worker had to be transported to a hospital.

It should be noted that Indian Point 3 shut down in March 1993 in response to concerns the NRC had regarding performance at that facility. The plant remains shut down while corrective actions are being implemented. The NRC continues to closely monitor activities there as the plant proceeds towards a return to power operation. I hope that the above information will be of assistance to you in responding to your constituent's concerns. As requested, I am enclosing Ms. Diamond's letter.

Sincerely,

Original signed by  
James M. Taylor

James M. Taylor  
Executive Director  
for Operations

Docket Nos. 50-247  
and 50-286

Enclosure: Ms. Diamond's letter

Distribution: See attached sheet

DOCUMENT NAME: G:\IP2\0010373.GRN

\*See previous concurrence

To receive a copy of this document, indicate in the box: "C" = Copy without enclosures "E" = Copy with enclosures "N" = No copy

OFFICE	LA:PDI-1		PM:PDI-1		PM:PDI-1		*TECH ED		D:PDI-1	
NAME	CVogan		FWilliams:smm		NConicella				MCase	
DATE	09/ /94		09/ /94		09/ /94		08/30/94		09/ /94	
OFFICE	DRSS		DE		AD		D:DRPE		ADP:NRR	
NAME	JCalvo*		BSheron*		CMiller*		SVarga*		RZimmerman*	
DATE	09/ /94		09/ /94		09/ /94		09/ /94		09/ /94	
OFFICE	D:NRR		EDO		OCA					
NAME	WRussell*		JTaylor		DR					
DATE	09/ /94		09/ 14/94		09/ 15/94		09/ /94		09/ /94	

OFFICIAL RECORD COPY

Distribution: Letter to Benjamin A. Gilman, Dated: 9/19/94

EDO 0010373

EDO Reading, 012/G/18

SECY CRC-94-0814

OCA

NRR Mail Room (EDO 0010373 w/incoming) (012/G/18)

Docket File (50-247), w/incoming

Docket File (50-286), w/incoming

PUBLIC w/incoming

OGC

PDI-1 Reading, w/incoming

J. Taylor, 017/G/21

J. Milhoan, 017/G/21

H. Thompson, 017/G/21

J. Blaha, 017/G/21

W. Russell/F. Miraglia, 012/G/18

R. Zimmerman, 012/G/18

S. Varga

C. Miller

M. Case

OPA

N. Olson

C. Norsworthy

Assistant Director Secretary

F. Williams w/incoming

N. Conicella w/incoming

C. Vogan

C. Cowgill, RGN-I

June 1, 1994

DISTRIBUTION

Docket File  
PDI-1 Reading  
CVogan  
NConicella  
JMenning  
FWilliams  
DBrinkman

DOCKET NO(S). 50-333  
50-247  
50-286  
50-410

SUBJECT: ENVIRONMENTAL MONITORING REPORT AND SEMIANNUAL EFFLUENT RELEASE REPORTS

The following documents concerning our review of the subject facility are transmitted for your information.

✓	DESCRIPTION OF DOCUMENT	DATED
	Notice of Receipt of Application	
	Draft/Final Environmental Statement	
	Notice of Availability of Draft/Final Environmental Statement	
	Safety Evaluation Report, or Supplement No. _____	
	Environmental Assessment and Finding of No Significant Impact	
	Notice of Issuance of Environmental Assessment	
	Notice of Consideration of Issuance of Facility Operating License or Amendment to Facility Operating License	
	Biweekly Notice; Applications and Amendments to Operating Licenses Involving No Significant Hazards Conditions See Page(s) _____	
	Exemption	
	Construction Permit No. CPPR- _____, Amendment No. _____	
	Facility Operating License No. _____, Amendment No. _____	
	Order	
	Monthly Operating Report for _____ transmitted by Letter	
X	Annual/Semi-Annual Report: <u>see attached sheet</u> _____ transmitted by Letter	
	Other _____	

Office of Nuclear Reactor Regulation  
Division of Reactor Projects - I/II

Enclosures:  
As Stated

cc: See next page

OFFICE▶	LA:PDI-1						
SURNAME▶	CVogan <i>CV</i>						
DATE▶	6/1/94						

Indian Point 2  
Indian Point 3  
Nine Mile 1  
Nine Mile 2  
FitzPatrick

cc: Chief, Branch of Federal Activities  
Division of Habitat Conservation  
400 ARLSQ  
U.S. Fish and Wildlife Service  
1849 C Street, N.W.  
Washington, DC 20240

Dr. William Cunningham  
FDA Research Chemist  
NIST Building 235/B125  
Gaithersburg, MD 20899

Paul A. Giardina  
Radiation Program Manager, Region 2  
Environmental Protection Agency  
Room 1137-L  
26 Federal Plaza  
New York, NY 10278

ATTACHMENT

FITZPATRICK  
ENVIRONMENTAL MONITORING REPORT  
SEMI-ANNUAL EFFLUENT RELEASE REPORTS

INDIAN POINT UNIT 2  
ENVIRONMENTAL MONITORING REPORT

INDIAN POINT UNIT 3  
ENVIRONMENTAL MONITORING REPORT

NINE MILE POINT UNIT 1

NINE MILE POINT UNIT 2  
ENVIRONMENTAL MONITORING REPORT