July 28, 2011

Michael B. Kaplowitz
Westchester County Board of Legislators, District #4
800 Michaelian Office Building
White Plains, NY 10601

Dear Mr. Kaplowitz:

I am responding to your letter dated June 2, 2011, to the U.S. Nuclear Regulatory Commission's (NRC's) Chairman Gregory B. Jaczko requesting that emergency preparedness requirements for the Indian Point Energy Center be extended to a 50 mile radius around the facility. Your request, co-signed by seven other Westchester County legislators, was made in response to the recent events in Japan, which suggested that the emergency planning requirements around the Indian Point Energy Center merited enhancement.

As you know, state and local officials have detailed plans to protect public health and safety in the event of a radiological release within a 10-mile radius emergency planning zone (EPZ). A 50-mile radius ingestion pathway for emergency planning is also established to protect individuals from radiological material that could be ingested and concentrated in the food chain. The 10-mile EPZ was established in the late 1970s based on research showing the most significant impacts of an accident would be expected in the immediate vicinity of a plant and therefore any initial protective actions, such as evacuations or sheltering in place, should be focused there. Put another way, the projected radiation levels would not be expected to exceed Environmental Protection Agency (EPA) protective action dose guidelines (i.e., 1 rem to the body or 5 rem to the thyroid) beyond 10 miles under postulated accident scenarios. Reviews of emergency preparedness in response to terrorist actions conducted following the events of September 11, 2001, validated the adequacy of this planning area. It should be noted that the size of the established EPZs are not limits, but rather provide for an emergency planning framework that would allow expansion or contraction of response efforts based on actual and projected radiological conditions.

During a domestic radiological event, the NRC, amongst other emergency management organizations, would be performing dose calculations using radiation dose projection models that analyze release paths from power reactors as well as take into account meteorological conditions to project radiation doses. While the NRC's role is not to make a protective action recommendation to the applicable State or county governments, we independently assess dose projections and would confer with appropriate State and county governments on our assessment results.

The 50-mile evacuation recommendation that the NRC made to the U.S. Ambassador in Japan was based on our assessment of the conditions as we understood them at the time. Specifically, there were preliminary indications of reactor fuel damage at three of these reactors and severely degraded conditions in one or more spent fuel pools at the six-unit facility. Since communications with knowledgeable Japanese officials were very limited and there was a large degree of uncertainty about plant conditions at the time, it was difficult to accurately assess the potential radiological hazard. The U.S. emergency preparedness framework provides for the expansion of emergency planning zones as conditions require. Acting in accordance with this framework, and with the best information available at the time, the NRC determined that the recommendation made to the US Ambassador in Japan was a prudent, conservative course of action. It was not based on the specific radiological conditions that existed at that time, but rather on a conservative assessment of radiological conditions that could possibly exist given the limited information available.

In the event of a radiological emergency at a nuclear power plant in the United States, we would have substantially more information available to us regarding the condition of the reactors, their containment structures, and the spent fuel pools. This is due, in part, to the active presence of NRC resident inspectors at the sites and the well-established communication protocols amongst the state and local decision makers, plant personnel and NRC emergency responders that are evaluated during biennial radiological emergency exercises. We would clearly be able to make more precise and well-founded recommendations regarding the appropriate protective actions needed to protect individuals in the vicinity of the facility.

The events at the Fukushima Dai-ichi site were unique in that the facility experienced one of the strongest earthquakes in recorded history, was struck by a large tsunami, and lost all onsite and offsite electricity necessary to power its nuclear safety equipment for several weeks. All U.S. nuclear power plants are built to withstand external environmental hazards, including earthquakes, tsunamis, and flooding. Even those plants that are located outside of areas with extensive seismic activity are designed for safety in the event of such a natural disaster. The NRC requires that safety-significant structures and systems be designed to take into account the most severe natural phenomena historically reported for the site and surrounding area – even very rare and extreme earthquakes, tsunamis, and flooding. Thus, the NRC is confident that the robust design of these plants makes it highly unlikely that a similar event could occur in the United States.

Going forward, the NRC will be evaluating the lessons learned at Fukushima Dai-ichi as they apply to the safety of existing power reactors as well as the adequacy of emergency planning guidance and policy in the United States. Recently, there were several recommendations regarding enhancing emergency preparedness published in the NRC's Near-Term Task Force Review of Insights from the Fukushima Dai-ichi Accident. At this time, however, the agency

considers our existing emergency preparedness framework and regulations to provide reasonable assurance of adequate protection of public health and safety in the event of a radiological emergency at all U.S. power reactor facilities, including Indian Point.

Sincerely,

/RA/

William M. Dean
Regional Administrator

considers our existing emergency preparedness framework and regulations to provide reasonable assurance of adequate protection of public health and safety in the event of a radiological emergency at all U.S. power reactor facilities, including Indian Point.

Sincerely,

/RA/

William M. Dean
Regional Administrator

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