

**Remsburg, Kristy**

---

**From:** "[crotonshaw@aol.com](mailto:crotonshaw@aol.com)" <[crotonshaw@aol.com](mailto:crotonshaw@aol.com)>

**Date:** June 3, 2013 2:59:01 PM EDT

**To:** "Bladey, Cindy" <[Cindy.Bladey@nrc.gov](mailto:Cindy.Bladey@nrc.gov)>

**Cc:** "Macfarlane, Allison" <[Allison.Macfarlane@nrc.gov](mailto:Allison.Macfarlane@nrc.gov)>, "[rchardbrodsky@msn.com](mailto:rchardbrodsky@msn.com)" <[rchardbrodsky@msn.com](mailto:rchardbrodsky@msn.com)>

Below is a copy of the letter submitted by fax this morning.

Thank you,  
Gary Shaw

June 3, 2013

Cindy Bladey, Chief, Rules, Announcements, and Directives Branch (RADB)  
Office of Administration  
Mail Stop: TWB-05-B01M  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Fax to: RADB at 301-492-3446.

Re: Indian Point Fire Safety Exemption: Docket ID NRC-2013-0063

My name is Gary Shaw and I am a member of the Leadership Council of the Indian Point Safe Energy Coalition.

In 2007, while Samuel Collins was Administrator of Region 1, NRC granted a fire safety exemption for Hemyc fire wrap that, by regulatory guidelines, should have been able to protect critical safety cables in the automatic shutdown process for one hour, but could not sustain its protection for anywhere close to what the regulations called for. The fact that the Region 1 Administrator was the same person who had overridden on-site inspectors at Davis-Besse who recommended temporary closure to investigate buildup of corrosion, and the result was that we came within a quarter inch of breach of containment is an unfortunate example of how NRC talks about lessons learned, but acts on behalf of operator financials rather than on public health & safety. It is unacceptable that the NRC standard seems to be "it is probably good enough" when the operating mentality should be that "we should do everything possible to prevent a plant failure" because the ramifications of a nuclear plant failure are unacceptably large. This is true of all nuclear plants, but the one that is within 35 miles of midtown Manhattan and 15 miles from a critical juncture of the New York City water supply, that sits within a mile of the intersection of two seismic faults that are estimated to have potential for a 7.0 earthquake and that there are two high pressure natural gas lines running right next to the plant makes the granting of fire safety exemptions absurdly dangerous. And the fact that this was done without any public announcement or the public commentary shows that the agency would like to avoid transparency.

It is my understanding is that the agency did not even consider forcing the operator to retrofit with better protection, but simply changed the regulations. It should also be noted that the NRC OIG was critical of the agency when NEI refused to perform the testing of Hemyc, claiming that there was insufficient evidence to make the industry feel it was worthwhile. One has to think that the industry dictates to the regulators, rather than the regulators directing the industry to perform due diligence in matters of public safety.

There should be public hearings and a full airing of the many issues involved, including a listing of the elements that NRC considered in rendering the exemption, a full evaluation of the on-site firefighting responses by the operator, especially during the transformer explosion and fire in 2010 for which New York State fined the operator over a million dollars. It is my understanding that the fire condition was not reported to NRC in the time dictated by NRC regulations. I also demand that an explanation be given why NRC is not complying with the NEPA requirements regarding potential and foreseeable terrorist act implications. This exemption becomes particularly egregious after the disclosure that the plant failed a force-on-force exercise conducted at the end of April. We, the concerned stakeholders, should also be informed of the fire remediation process that would be followed after the 24 minute duration if fire suppression has not been accomplished at that point. This fire safety issue deserves a full and transparent public hearing of the issues.

With all due respect,

Gary Shaw

Member of the Leadership Council of the IPSEC (Indian Point Safe Energy Coalition)

9 Van Cortlandt Place

Croton on Hudson, NY 10520