



SANDRA R. GALEF
Assemblywoman 95th District

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February 26, 2015

Honorable Cheryl A. LeFleur
Chairman
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

Honorable Stephen G. Burns
Chairman
U.S. Nuclear Regulatory Commission
Mail Stop O-16G4
Washington, DC 20555-0001

Re: Project Docket Number CP14-96-000

Dear Chairmen LeFleur & Burns,

After spending time communicating with the NRC about the conclusion of the safety hazard analysis they conducted regarding the siting of the AIM pipeline in close proximity to the Indian Point Energy Center, I have been most disappointed. The fact that we have a major nuclear power plant with already contentious debate about its safety within 50 miles of New York City, that is now having its safety potentially compromised further with this high volume high pressure 42" pipeline is disturbing at best.

I do not understand why the approval process is being expedited. I have received information that the basis for a very important assumption in the safety hazard analysis has not been properly validated. Why is this issue not being addressed by NRC or FERC? I have brought this concern to the attention of the NRC with support from nuclear and gas line experts, and yet, no action has been taken, as far as I am aware, to go back and reexamine that 3 minutes is a valid and conclusive amount of time in which gas flow to the area could be stopped.

This is the main focus of my concern. I would like to know what evidence exists that for gas line ruptures that have occurred elsewhere, in fact gas flow has been shut down in 3 minutes. In the disasters that have been publicized, this has not been the case. The gas expert I have been speaking with has made it clear that Houston, Texas would not necessarily recognize a pressure drop in Buchanan, New York quickly enough, nor based on the distance of the valves, would the system be able to work fast enough to make a shutdown happen that quickly.

Again, with such critical infrastructure at this juncture in this small town, just a stone's throw from the biggest city in the U.S., I am having a difficult time understanding why this concern does not merit further questioning before pushing through the siting of this pipeline within 500 feet of Indian Point's fuel oil. I am attaching a recent press release I sent out highlighting my concerns, as well as a petition that was filed with the NRC by nuclear expert Paul Blanch. While I specifically name NRC for not having validated the 3 minute estimate, I believe FERC is just as responsible for expediting the siting process without assuring the public that proper analysis has taken place.

I look forward to your response.

Sincerely,

Sandra R. Galef
New York State Assembly
95th District
Representing the following municipalities in a 15 mile
radius of Indian Point: Cortlandt, Buchanan, Croton,

Peekskill, Nelsonville, Cold Spring, Ossining, Briarcliff,
Philipstown

Att.

Cc: U.S. Senator Charles Schumer
U.S. Senator Kirsten Gillibrand
Congresswoman Nita Lowey
Commissioner Joseph Maartens, NYS DEC
NYS Attorney General Eric Schneiderman
Legislator Catherine Borgia, Westchester County
Legislator John Testa, Westchester County
Supervisor Linda Puglisi, Town of Cortlandt
Mayor Theresa Knickerbocker, Village of Buchanan

Paul M. Blanch
Energy Consultant

26 February 2015

Douglas V. Pickett, Senior Project Manager
Indian Point Nuclear Generating Unit Nos. 2 & 3
USNRC
King of Prussia, PA

Doug:

Thanks for a direct answer to my question. I have carefully reviewed all of this information from the NRC and Entergy prior to submitting my 2.206 petition.

I have also reviewed Department of Transportation (DOT) Pipeline Hazardous Material Safety Administration (PHMSA) website and Resource Report 11, "Reliability and Safety," and 49 CFR 190-199. None of these NRC cited references the 3 minute isolation times. I would like to see industry/NRC research or actual calculations, history or testing supporting this assumed isolation time.

There is no indication or documentation supporting this imagined 3 minute closure time. Exactly where did this number originate other than from Entergy's 50.59 submittal? There are numerous reports from ASME, NTSB publicly available <http://www.nts.gov/investigations/AccidentReports/Pages/pipeline.aspx> that discuss closure time and termination of flammable gas flow from a pipe rupture. The two most prominent are the San Bruno fire and the Edison, NJ gas line rupture in 1994 but many more can be above cited NTSB website.

I think the NRC needs to do some research on actual events rather than blindly accepting a questionable 3 minute number which has no apparent basis. Should the NRC care to review these ASME, NTSB and other documents refuting this 3 minute assumption, I and Richard Kuprewicz would be more than willing to provide them to the NRC or

the NRC can search the web for the same information I have obtained.

The NRC apparently not required or plans any actual performance testing or verification. The NRC itself requires the analysis to consider an operator response time of 10 or 20 minutes. See enclosed NRC documentation.

In addition, one has to consider the actual closure time of at least (2) 42 inch valves, the blowdown time of 850 PSI--42 inch diameter pipe and five miles between valves. One must also consider the gas lines which run parallel to these lines and must also be isolated.

I have worked with the NRC/AEC for more than 40 years and do not recall it ever accepting an analysis number without verification, analysis and actual testing. 10 CFR 50 Appendix B clearly requires testing. Below are just two of the examples from 10 CFR 50 that requires testing of SSCs as defined in 10 CFR 50.2.

III. Design Control

Measures shall be established to assure that applicable regulatory requirements and the design basis, as defined in § 50.2 and as specified in the license application, for those structures, systems, and components to which this appendix applies are correctly translated into specifications, drawings, procedures, and instructions. These measures shall include provisions to assure that appropriate quality standards are specified and included in design documents and that deviations from such standards are controlled. Measures shall also be established for the selection and review for suitability of application of materials, parts, equipment, and processes that are essential to the safety-related functions of the structures, systems and components.

Measures shall be established for the identification and control of design interfaces and for coordination among participating design organizations. These measures shall include the establishment of procedures among participating design organizations for the review, approval, release, distribution, and revision of documents involving design interfaces.

The design control measures shall provide for verifying or checking the adequacy of design, such as by the performance of design reviews, by the use of alternate or simplified calculational methods, or by the performance of a suitable testing program. The verifying or checking

process shall be performed by individuals or groups other than those who performed the original design, but who may be from the same organization. Where a test program is used to verify the adequacy of a specific design feature in lieu of other verifying or checking processes, it shall include suitable qualifications testing of a prototype unit under the most adverse design conditions. Design control measures shall be applied to items such as the following: reactor physics, stress, thermal, hydraulic, and accident analyses; compatibility of materials; accessibility for inservice inspection, maintenance, and repair; and delineation of acceptance criteria for inspections and tests.

Design changes, including field changes, shall be subject to design control measures commensurate with those applied to the original design and be approved by the organization that performed the original design unless the applicant designates another responsible organization.

XI. Test Control

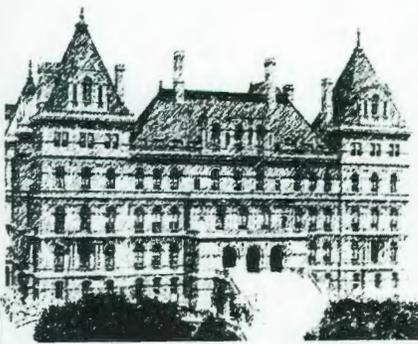
A test program shall be established to assure that all testing required to demonstrate that structures, systems, and components will perform satisfactorily in service is identified and performed in accordance with written test procedures which incorporate the requirements and acceptance limits contained in applicable design documents. The test program shall include, as appropriate, proof tests prior to installation, preoperational tests, and operational tests during nuclear power plant or fuel reprocessing plant operation, of structures, systems, and components. Test procedures shall include provisions for assuring that all prerequisites for the given test have been met, that adequate test instrumentation is available and used, and that the test is performed under suitable environmental conditions. Test results shall be documented and evaluated to assure that test requirements have been satisfied.

Once again, where did the 3 minute time originate?

Please consider this additional information as part of my 2.206 petition.

Paul M. Blanch

Paul M. Blanch
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West Hartford, CT 06117
860-236-0326



NEWS From
Assemblywoman 95th Assembly District
SANDY GALEF

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**Galef: NRC Must Shut Down Approval of Spectra's
AIM Pipeline Siting at Indian Point**

*Assemblywoman Calls for NRC to Require an Independent,
In-Depth Safety Analysis*

(February 25, 2015) In a catastrophic failure scenario, how quickly can a 42-inch high-pressure natural gas line in Buchanan, New York be shut down from a remote access location in Texas? The Nuclear Regulatory Commission (NRC), responsible for the safety of all nuclear power plants in the U.S., believes that failsafe shutdown could occur in only three minutes.

Entergy, the operator of the Indian Point nuclear power plants, conducted a safety assessment of the proposed gas line siting, and came up with the three-minute gas pipeline shutdown estimate, which was then accepted by the Nuclear Regulatory Commission (NRC). When asked by the Assemblywoman for verification of the estimate, the NRC said that Entergy based its estimate on information provided in documents submitted by Spectra Energy to the Federal Regulatory Energy Commission (FERC).

Spectra Energy has filed its Algonquin Incremental Market (AIM) project application with the federal agency responsible for approving siting of pipelines. The AIM project calls for installing a high pressure and high volume natural gas pipeline that will pass less than two hundred feet from vital structures at Indian Point.

New York State Assemblywoman Galef, who represents Buchanan, New York, has raised concern about the three-minute shutdown claim. She believes the NRC needs to require a full and complete independent analysis of the safety of the AIM project in relation to Indian Point, in which assumptions are properly validated. "It is irresponsible to take a recommendation from a company like Spectra that wants their business to be here, and not independently validate it. The safety of the people in the Hudson Valley region should take precedence over the interests of two energy production companies. There is no other place in this country where a gas pipeline comes as close to a nuclear power plant as there is here, so it requires above and beyond oversight and analysis," Galef said.

The NRC actions violate its own regulatory obligations to require verifiable safety testing methodology and results for systems related to Indian Point. The NRC accepted Entergy's estimate for a safe shutdown of the natural gas pipeline in a catastrophic failure and explosion – the information is little more than an unsubstantiated claim of Spectra Energy buried in its paperwork submission to FERC. To compound the failure of these agencies, FERC then accepted the NRC's explanation.

Upon a detailed review, pipeline expert Rick Kuprewicz and nuclear expert Paul Blanch have concluded that the estimated timeframe is inaccurate and defies the law of thermodynamics should an explosion occur. In spite of requests from members of the U.S. House and Senate as well as Assemblywoman Galef, Westchester County legislators, and local elected officials, the NRC and FERC have refused to require Entergy or Spectra to have their claims verified by an independent analysis.

“We must do a better job analyzing these potential threats and should not be rushing to any conclusions,” Galef stated. “The safety of this region is at stake.”

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Tully, Bridin

From: Spear, Susan (Gillibrand) [mailto:Susan_Spear@gillibrand.senate.gov]
Sent: Thursday, February 26, 2015 05:16 PM
To: Weil, Jenny
Cc: Shapiro, Geri (Gillibrand) <Geri_Shapiro@gillibrand.senate.gov>
Subject: FW: NYS Assemblywoman Galef Letter of Concern to FERC and NRC re AIM siting near IPEC

Jenny:

I am forwarding a letter from NYS Assemblywoman Galef, who requested our office's assistance in getting her letter to NRC Chairman Burns. I am doing this as a courtesy to NYS Assemblywoman Galef, the attached letter and statement represent the position of the NYS Assemblywoman.

Susan Spear
Hudson Valley Regional Director
Office of U.S. Senator Kirsten Gillibrand (NY)
845-875-4585 (office)
845-499-6666 (cell)
susan_spear@gillibrand.senate.gov

Sign up for Senator Gillibrand's newsletter [here](#)

From: Sandra Galef [mailto:galefs@assembly.state.ny.us]
Sent: Thursday, February 26, 2015 4:39 PM
To: Spear, Susan (Gillibrand)
Subject: NYS Assemblywoman Galef Letter of Concern to FERC and NRC re AIM siting near IPEC

Dear Susan,

I would greatly appreciate your office's help in delivering the attached letters and press release to the Chairmen of FERC and the NRC tonight, if possible.

Thank you.

Sincerely,
Sandy Galef
NYS Assemblywoman
95th A.D.