

EDO Principal Correspondence Control

FROM: DUE: 10/26/00

EDO CONTROL: G20000485
DOC DT: 10/04/00
FINAL REPLY:

David A. Lochbaum
Union of Concerned Scientists

TO:

L. Wiens, NRR

FOR SIGNATURE OF :

** GRN **

CRC NO: 00-0627

Travers, EDO

DESC:

Documents in ADAMS Relating to 2.206 on Indian
Point 2 and Petitioners to Receive Related
Correspondence

ROUTING:

Travers
Paperiello
Miraglia
Norry
Craig
Burns
Miller, RI
Cyr, OGC
Goldberg, OGC
Subbarathnam, NRR
G20000133

DATE: 10/12/00

ASSIGNED TO:

CONTACT:

NRR

Collins

SPECIAL INSTRUCTIONS OR REMARKS:

EDO

**OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET**

Date Printed: Oct 11, 2000 15:21

PAPER NUMBER: LTR-00-0627 **LOGGING DATE:** 10/11/2000
ACTION OFFICE: EDO ✓

AUTHOR: David Lochbaum
AFFILIATION: UCS
ADDRESSEE: Leonard Wiens
SUBJECT: Concerns good news bad news... found three documents in ADAMS, co-petitioners not on distribution list

ACTION: Signature of EDO
DISTRIBUTION: Copy to: Chrm, Comrs.

LETTER DATE: 10/04/2000
ACKNOWLEDGED No
SPECIAL HANDLING:

NOTES:
FILE LOCATION: ADAMS
DATE DUE: 10/26/2000 **DATE SIGNED:**

EDO --G20000485



Union of Concerned Scientists

October 4, 2000

Mr. Leonard A. Wiens
Office of Nuclear Reactor Regulation
Nuclear Regulatory Commission
Washington, DC 20555-0001

SUBJECT: GOOD NEWS AND BAD NEWS

Dear Mr. Wiens:

The good news is that I was able to find three documents in ADAMS related to our Indian Point 2 petition pursuant to 10 CFR 2.206. I found them, successfully downloaded them, and printed out copies of them.

The bad news is that neither I nor the other co-petitioners were on the distribution list for two of these three documents. All three letters were issued by the NRC's Office of Nuclear Reactor Regulation and involved issues central to our petition as amended and supplemented. Those documents, copies of which are enclosed, are:

1. Letter dated August 18, 2000 from Mr. Zwolinski to Mr. A. Alan Blind (ML0037414450)
2. Letter dated September 21, 2000 from Ms. Gibson to Ms. Quinn (ML0037524920)
3. Letter dated September 20, 2000 from Mr. Milano to Mr. A. Alan Blind (ML0037501760)

As I read NRC Management Directive 8.11 and as we have been repeatedly assured, the petitioners are added to the service list for all correspondence emanating from the NRC related to the petition subject. Clearly, that's theory and not practice.

I request that Mr. James Riccio, Mr. Michael Mariotte, Mr. Edward Smeloff and I be added to the distribution list for all future NRC correspondence related to our petition. In addition, we would appreciate receiving copies of all past NRC correspondence related to our petition that we were, for some reason, omitted from the original distribution.

Sincerely,

David A. Lochbaum
Nuclear Safety Engineer

Enclosures: as stated

cc: Mr. Hubert Bell, Inspector General
Mr. Michael Mariotte
Mr. Edward McGaffigan, Jr. Commissioner
Mr. Richard A. Meserve, Chairman
Mr. Patrick D. Milano
Mr. James Riccio
Mr. Edward Smeloff

August 18, 2000

Mr. A. Alan Blind
Vice President, Nuclear Power
Consolidated Edison Company
of New York, Inc.
Broadway and Bleakley Avenue
Buchanan, NY 10511

SUBJECT: REQUEST FOR DOCUMENTS RELATED TO PERFORMANCE OF THE
BIENNIAL OFFSITE EMERGENCY PREPAREDNESS EXERCISES AT THE
INDIAN POINT NUCLEAR GENERATING UNIT NO. 2

Dear Mr. Blind:

The Nuclear Regulatory Commission (NRC) is engaged in a document search related to the conduct of emergency plan exercises at the Indian Point and FitzPatrick/Nine Mile Point sites. The practice at these sites is for the co-located licensees to alternate their participation in the biennial exercises of the offsite plans that are evaluated by the Federal Emergency Management Agency (FEMA). This apparently has been the practice at these two sites since the early 1980's.

The issue has come to our attention as a result of the February 15, 2000, steam generator tube failure at Indian Point Unit 2 (IP2) and the subsequent activities related to the restart of IP2. We are conducting a search of our records for any documentation related to the initiation of the practice of alternating licensee participation in offsite exercises at these sites. In particular, we are seeking correspondence between the licensees, the State of New York, FEMA, and the NRC that is related to this practice and indicates consideration and approval by the NRC and/or FEMA.

To assist us in this matter, we request that the Consolidated Edison Company of New York, Inc., perform a search of its records for any documentation related to recognition, acceptance, or approval of the practice of alternating licensee participation in the FEMA evaluated biennial (originally annual) offsite exercises at the IP2 site. Please contact Patrick Milano at 301-415-1457 if you have any questions concerning this request.

Sincerely,

/RA/

John A. Zwolinski, Director
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-247

cc: See next page

DISTRIBUTION

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PD-I Reading

JZwolinski/S. Black

E. Adensam

M. Gamberoni

S. Little

P. Milano

R. Schaaf

L. Wiens

K. Gibson

OGC

ACRS

M. Oprendeck, Region I

Accession No: ML003741445

OFFICE	PDI-1/PM	PDI-1/LA	PDI-1/SC	PDI/PD	DLPM/D
NAME	RSchaaf	SLittle	MGamberoni	EAdensam	JZwolinski
DATE	08/16/2000	08/16/2000	08/12/2000	08/17/2000	08/22/2000

OFFICIAL RECORD COPY

Indian Point Nuclear Generating Station
Unit 1/2

Mayor, Village of Buchanan
236 Tate Avenue
Buchanan, NY 10511

Mr. F. William Valentino, President
New York State Energy, Research,
and Development Authority
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Mr. John McCann
Manager of Nuclear Safety and
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Senior Resident Inspector
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New York, NY 10003

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Nuclear Safety Engineer
Union of Concerned Scientists
1707 H Street, NW., Suite 600
Washington, DC 20006

Edward Smeloff
Pace University School of Law
The Energy Project
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Charles Donaldson, Esquire
Assistant Attorney General
New York Department of Law
120 Broadway
New York, NY 10271

Ms. Charlene D. Faison, Director
Nuclear Licensing
Power Authority of the State
of New York
123 Main Street
White Plains, NY 10601

Mr. Thomas Rose
Secretary - NFSC
Consolidated Edison Company
of New York, Inc.
Broadway and Bleakley Avenue
Buchanan, NY 10511

Regional Administrator, Region I
U. S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406

Mr. Paul Eddy
New York State Department of
Public Service
3 Empire State Plaza, 10th Floor
Albany, NY 12223

Jim Riccio
Public Citizen's Critical Mass Energy Project
215 Pennsylvania Ave., SE
Washington, DC 20003

Michael Mariotte
Nuclear Information & Resources Service
1424 16th Street, NW, Suite 404
Washington, DC 20036

September 21, 2000

Vanessa E. Quinn, Chief
Radiological Emergency Preparedness Branch
Chemical and Radiological Preparedness Division
Federal Emergency Management Agency
500 C Street, S.W.
Washington, D.C. 20472

**SUBJECT: REQUEST FOR ASSISTANCE TO ADDRESS CONCERNS REGARDING
EVACUATION ROUTES AND A POPULATION WHERE ENGLISH IS SPOKEN AS
A SECOND LANGUAGE FOR THE AREA AROUND INDIAN POINT**

Dear Ms. Quinn:

This is to request the assistance of the Federal Emergency Management Agency (FEMA) in addressing concerns raised by the Nuclear Regulatory Commission (NRC) Office of the Inspector General (OIG) concerning maintaining the integrity of evacuation routes around Indian Point 2 (IP2) and a growing segment of the population who speak English as a second language in certain sections of the emergency planning zone (EPZ) for IP2.

In response to concerns raised by the public and Congress as a result of the February 15, 2000, steam generator tube failure at IP2 the NRC OIG initiated an event inquiry. I have previously provided you a copy of the event inquiry report. As documented on page 28 of the report during the inquiry several first responders expressed concerns to the OIG that due to the population density and road conditions in the area of IP2, any failure to maintain the integrity of the evacuation routes would bring the "plan" to a complete stop. There was also expressed a concern that there is a growing population of individuals in certain sections of the EPZ who speak English as a second language.

It is requested that FEMA review existing emergency plans for the area around IP2 to ensure that they provide adequate measures to assure that the integrity of evacuation routes will be maintained such that impediments would not stop an evacuation should one be called for in response to a radiological emergency at IP2. Additionally, confirm that emergency plans for the area around IP2 adequately provide for communication of information to the general population in the EPZ, including individuals who may speak English as a second language.

Vanessa E. Quinn

-2-

during our telephone discussion regarding these issues, a date of October 31, 2000, was selected as a proposed goal for FEMA's response to this request. Please let us know if this date is not acceptable. If you have any questions, please contact Mr. Daniel M. Barss of my staff at 301-415-2922.

Sincerely,

/RA/

Kathy Halvey Gibson, Chief
Emergency Preparedness and
Health Physics Section
Operator Licensing, Human Performance,
and Plant Support Branch
Division of Inspection Program Management
Office of Nuclear Reactor Regulation

DISTRIBUTION

IOLB Reading File
R. Conte, RI

P. Milano
D. Barss

K. Gibson
F. Kantor

DOCUMENT NAME:C:\OIG IP2 concerns referral lt~.wpd

OFFICE	IOLB/DIPM	IOLB/DIPM	
NAME	DMBARSS	KHGIBSON	
DATE	9 /21/2000	9/21/2000	

OFFICIAL RECORD COPY

September 20, 2000

Mr. A. Alan Blind
Vice President, Nuclear Power
Consolidated Edison Company
of New York, Inc.
Broadway and Bleakley Avenue
Buchanan, NY 10511

SUBJECT: MODIFICATIONS TO EMERGENCY ACTION LEVELS, INDIAN POINT
NUCLEAR GENERATING UNIT NO. 2 (TAC NO. MA6814)

Dear Mr. Blind:

By letter dated October 8, 1999, as supplemented on December 16, 1999, and July 21, 2000, Consolidated Edison Company of New York, Inc. (ConEd) submitted to the U.S. Nuclear Regulatory Commission (NRC) proposed modifications to the Emergency Action Levels (EALs) for the Indian Point Nuclear Generating Unit No. 2. Specifically, ConEd requested the NRC to approve proposed modifications to (1) EALs 6.1.1, "Unusual Event," and 6.1.3, "Alert," for the loss of alternating current power sources, and (2) EALs 6.2.1, "Unusual Event," and 6.2.2, "Site Area Emergency," for the loss of direct current power sources. As detailed in the October 8 submittal, ConEd indicated that the proposed modifications to the wording of these EALs was intended to clarify the plant-specific wording of the respective EALs to more closely reflect applicable initiating conditions as provided by the examples given in the Nuclear Management and Resources Council (NUMARC; now the Nuclear Energy Institute) guidance document, NUMARC/NESP-007, "Methodology for Development of Emergency Action Levels," Revision 2.

The NRC staff finds that the EALs, as reworded, remain consistent with the guidance, and therefore, continue to meet the requirements of 10 CFR 50.47(b) and Appendix E to 10 CFR Part 50. Therefore, the NRC staff finds the proposed changes to be acceptable.

This completes our action for TAC No. MA6814. If you have any questions, please contact me at 301-415-1457.

Sincerely,
/RA/

Patrick D. Milano, Senior Project Manager, Section 1
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-247
cc: See next page

DISTRIBUTION:

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PDI-1 Reading File
E. Adensam

M. Gamberoni
K. Gibson
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M. Oprendeck, RGN-I
OGC
ACRS

Accession Number: ML003750176

OFFICE	PM:PDI-1	LA:PDI-1	SC:IOLB	SC:PDI-1		
NAME	PMilano	Slittle	KGibson	MGamberoni		
DATE	9/14/00	9/15/00	9/15/00	9/19/00		

Official Record Copy

Indian Point Nuclear Generating Station
Unit 2

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Mr. John McCann
Manager of Nuclear Safety and
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