

March 14, 2000

The Honorable Sue W. Kelly
United States House of Representatives
Washington, DC 20515-3219

Dear Congresswoman Kelly:

I am responding to your letter of February 18, 2000, concerning the timeliness of offsite notifications following the event that occurred on February 15, 2000, at the Indian Point 2 Nuclear Power Plant. As I indicated in my response to your letter of February 17, the NRC has initiated an Augmented Inspection Team (AIT) effort to review the Indian Point 2 steam generator tube leak and issues associated with it, including the licensee's performance of offsite notifications.

Notifications required for such events are prescribed in Federally-required emergency response plans established for each nuclear power plant. Coordinated but separate plans are established for state and local government organizations involved in offsite response in the vicinity of each plant. Based on our review to date, our understanding is that the licensee, Consolidated Edison Company (ConEd), made the notifications to offsite officials that are required immediately after the declaration of an Alert in accordance with its emergency response plan. These notifications are Federally required because they notify offsite emergency response organizations about the need to implement their plans. However, the utility may not have been timely in making several notifications that it committed to make to local municipal officials. The NRC staff is still reviewing this matter to understand better the concerns raised by the local officials.

We understand that notifications of selected municipal officials of events at the Indian Point 2 Nuclear Power Plant are also prescribed in the local County Radiological Emergency Response Plans. Jurisdiction at the Federal level for the review and approval of such offsite emergency response plans rests with the Federal Emergency Management Agency (FEMA). ConEd officials have informed us that they intend to work with New York State, local counties and municipalities, and FEMA, as appropriate, to review lessons learned from this event. This review will include an assessment of the notification process. The Commission will provide support to this effort as needed.

We will forward the report of the NRC's AIT to you as soon as it is completed. If you have any questions, please do not hesitate to contact me.

Sincerely,

/RA/

Richard A. Meserve