April 7, 2016

The Honorable Andrew M. Cuomo  
Governor of New York State  
NYS State Capitol Building  
Albany, NY 12224

Attorney General Eric T. Schneiderman  
Office of the Attorney General  
The Capitol  
Albany, NY 12224-0341

Dear Governor Cuomo and Attorney General Schneiderman:

On behalf of the Union of Concerned Scientists’ members and supporters in New York State and across the United States, I want to thank you for the important role the state played in identifying and addressing a serious nuclear power safety problem.

The owner of the Indian Point nuclear plant in Buchanan, New York, applied to the U.S. Nuclear Regulatory Commission in April 2007 for 20-year renewals of the reactor operating licenses. In November 2007, New York State intervened in the license renewal process. One of the contentions raised by the State, later designated as NYS-25, was that the application lacked an adequate aging management program for the reactor vessels and their internal components.

Neither the owner nor the NRC staff initially agreed with the State regarding NYS-25. During the ensuing proceeding, the State defended the contention so effectively that the company submitted an amendment to its license renewal application in July 2010 committing to apply aging management methods from an Electric Power Research Institute (EPRI) standard to the reactor vessel and internals at Indian Point. Workers performing the initial inspection per the EPRI standard at Indian Point Unit 2 last month found 227 of 832 (27 percent) baffle-former bolts so degraded that replacement was necessary.

The identification and correction of the degraded bolts has significant nuclear safety implications. Degraded bolts become loose parts that can impact and damage fuel rods, steam generator tubes, and other components. If enough bolts degrade, the structural integrity of the baffle and former plates can be comprised. In event of an accident, the emergency core cooling systems supplying makeup water to the reactor vessel could have that vital function impaired by water flowing through gaps in the plates instead of flowing through the reactor core as needed to prevent a meltdown.

If the State’s efforts had only led to the discovery and correction of this safety problem at Indian Point Unit 2, they would have been laudable. But the State’s efforts rippled the safety benefit across the country. In July 2011, the NRC notified all owners of reactors like those at Indian Point that they must apply the aging management measures from the EPRI standard to their reactor vessels and internals. The NRC required these measures for reactors yet to be relicensed, and also required them retroactively for reactors the agency had already relicensed.
We have monitored nuclear power safety issues for over forty years and truly understand how challenging it can be to resolve a safety concern. Thus, we have an awareness of and appreciation for the hard work and dedication the State devoted to this very positive result.

The State’s efforts leading to the discovery and corrective of this nuclear safety problem benefitted the people of New York. The efforts had the collateral benefit of better protecting millions of Americans across the country from the reactors in their communities.

We applaud the State for achieving this stellar outcome.

Sincerely,

David Lochbaum
Director, Nuclear Safety Project