



**New York State Emergency Management Office**  
1220 Washington Avenue  
Building 22, Suite 101  
Albany, NY 12226-2251



George E. Pataki, Governor

James W. Tuffey, Director

September 20, 2005

Samuel Collins  
Regional Administrator  
U.S. Nuclear Regulatory Commission  
Region 1  
475 Allendale Road  
King of Prussia, PA 19406

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REGION 1

Dear Mr. Collins:

New York State has learned that a contractor working at the Indian Point Energy Center in Westchester County, while excavating an area next to the structure that contains spent nuclear fuel, discovered cracks in an exposed wall of that structure. As reported, at least one of these cracks was moist, containing liquid that included radioactivity consistent with that which would be found in the pool that contains the spent fuel. My understanding is that this has been confirmed by NRC staff. It was further reported that this discovery occurred last week.

Neither the State nor local governments was notified of this incident until well after it was initially discovered. At a time when the public is expecting the highest level of coordination between and among all levels of government and their agencies, this failure to share and coordinate this information is unacceptable. It is crucial that any systemic issues that contributed to this failure be identified and corrected.

In light of these facts and after consultation with Governor Pataki's office, I am calling for a full and open investigation into this incident. I am also requesting that you provide a copy of your reports and any other information pertinent to this incident to my office.

Any further questions on this matter should be directed to my office at 518-457-2222.

Sincerely,

James W. Tuffey  
Director