

April 23, 2002

Mr. Michael R. Kansler
Senior Vice President and
Chief Operating Officer
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

SUBJECT: REPLY TO LICENSEE'S RESPONSE TO ORDER FOR INTERIM
SAFEGUARDS AND SECURITY COMPENSATORY MEASURES,
INDIAN POINT NUCLEAR GENERATING UNIT NOS. 2 AND 3
(TAC NOS. MB4137 AND MB4138)

Dear Mr. Kansler:

On February 25, 2002, the U.S. Nuclear Regulatory Commission (NRC) issued an Order modifying the operating license for the Indian Point Nuclear Generating Unit Nos. 2 and 3 (IP2 and 3) to require compliance with the specified interim safeguards and security compensatory measures. The interim compensatory measures (ICMs) were listed in Attachment 2 to the Order. When issuing the Order, the Commission recognized that you have voluntarily and responsibly implemented additional security measures following the events of September 11, 2001, but, in light of the continuing generalized high-level threat environment, the Commission concluded that the security measures should be embodied in an Order, consistent with the established regulatory framework.

The Order required responses and actions within specified time frames. Section III.A of the Order required licensees to immediately start implementation of the requirements listed in Attachment 2 to the Order and to complete implementation **no later than August 31, 2002**. Section III.B of the Order required licensees to notify the Commission: (1) if they are unable to comply with the requirements described in Attachment 2, (2) if compliance with any of the requirements is unnecessary in their specific circumstances, (3) if implementation of any of the requirements would cause the licensee to be in violation of the provisions of any Commission regulation or the facility license, or (4) if implementation of any of the requirements described in Attachment 2 would adversely impact the safe operation of the facility. Section III.C.1 of the Order required licensees to submit to the Commission, within 20 days of the date of the Order, a schedule for achieving compliance with each requirement described in Attachment 2 to the Order. Section IV of the Order noted that in accordance with 10 C.F.R. § 2.202, the licensee must submit an answer to the Order and may request a hearing on the Order, within 20 days of the date of the Order, and, where good cause is shown, consideration would be given to extend the time to request a hearing.

In letters dated March 18, 2002 (Entergy Nuclear Operations, Inc. (ENO) letter nos. NL-02-041 and JPN-02-003), you submitted a response to the Order for IP2 and 3. On March 28, 2002 (ENO letter no. IPN-02-019), you provided supplementary information for IP2 and 3. You did not request either an extension of time to respond to the ICMs or an extension of time in which to request a hearing.

M. Kansler

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The NRC staff has reviewed your response and finds that you have satisfied the 20-day reporting requirements of the Order.

The NRC will determine the effectiveness of your implementation of the ICMs through on-site inspections. I would like to remind you that, pursuant to Section III.C.2 of the Order, you are to report to the Commission when you have achieved full compliance with the requirements described in Attachment 2 to the Order.

If you have any other questions on these issues, please contact Patrick Milano at 301-415-1457.

Sincerely,

/RA/

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

Docket Nos. 50-247 and 50-286

cc: See next page

M. Kansler

- 2 -

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Indian Point Nuclear Generating Unit Nos. 2 & 3

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