



Entergy Nuclear Northeast
Entergy Nuclear Operations, Inc.
Indian Point Energy Center
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May 30, 2002

Re: Indian Point Unit No. 1
Docket No. 50-3
NL-02-042

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Mail Stop O-P1-17
Washington, D.C. 20555-0001

SUBJECT: License Amendment Request (LAR-02-007) – Changes to Effectively Coordinate Indian Point Units 1 and 2 Programs

- References:
1. NRC Letter to Consolidated Edison, "Order to Authorize Decommissioning and Amendment No. 45 to License No. DPR-5 for Indian Point Unit No. 1 (TAC No. M59664)," dated January 31, 1996
 2. Entergy Nuclear Operations, Inc. letter to the NRC, NL-02-016, "License Amendment Request (LAR 02-005) Conversion to Improved Standard Technical Specifications," dated March 27, 2002

Pursuant to 10CFR50.90, Entergy Nuclear Operations, Inc. (ENO) hereby requests the following amendment to the Indian Point Nuclear Generating Unit No. 1 (IP1) Amended Provisional Operating License No. DPR-5. This request proposes changes to various sections of the IP1 Technical Specifications (TS). IP1 is completely enclosed within the protected area for Indian Point Nuclear Generating Unit No. 2 (IP2). IP1 depends on the IP2 TS and processes for the implementation of certain regulatory requirements. The requested changes will simplify the IP1 TS to facilitate the IP2 transition to the Improved Technical Specifications (ITS). The details of the proposed changes are provided in the attachments to this letter. ENO also proposes that the IP1 TS be reformatted, reordered and repaginated for consistency and clarity. Attachment 1 to this letter provides the description and evaluation of the proposed changes for the IP1 TS. The revised TS pages for IP1 are provided in Attachment 2 (strikeout/shaded format).

ENO also requests that certain changes presented herein supersede requirements of the "Order Approving Decommissioning Plan and Authorizing Decommissioning of Facility" (Ref. 1) (the Order) to ensure compliance with the current requirements of 10CFR50.59, "Changes, Tests, and Experiments," and 50.82, "Termination of License," for evaluating whether changes can be made to IP1 without prior NRC approval. Attachment 3 provides the details of the proposed changes and an evaluation showing compliance with the intent of the Order and with current regulations.

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ENO also requests that the expiration date of Provisional Operating License No. DPR-5 for IP1 be changed to the current expiration date for the Facility Operating License No. DPR-26 for IP2. This is to make the license expiration date consistent with the intent of the Order (Ref. 1). Attachment 4 provides the details of the proposed changes and an evaluation showing compliance with the intent and the staff's safety evaluation of the Order.

The onsite safety review committee and the offsite safety review committee have reviewed the proposed changes and concurred that the proposed changes involve no significant hazards consideration as defined by 10CFR50.92(c).

ENO requests a timely review of this application and that the approval of the proposed IP1 changes be issued prior to or coordinated with the approval of the IP2 License Amendment Request (Ref. 2) for conversion to the ITS. An implementation date of within 60 days of approval is requested.

In accordance with 10CFR50.91, a copy of this submittal and the associated attachments are being submitted to the designated New York State official.

There are no commitments contained in this submittal. Should you or your staff have any questions regarding this submittal, please contact Mr. John F. McCann, Manager, Nuclear Safety and Licensing at (914) 734-5074.

I declare under penalty of perjury that the foregoing is true and correct.

Sincerely,

Executed on

5/30/02



Fred Dacimo
Vice President – Operations
Indian Point Unit 2

cc: See page 3

Attachments

cc:

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ATTACHMENT 1 TO NL-02-042

**LICENSE AMENDMENT REQUEST FOR INDIAN POINT NUCLEAR GENERATING
UNIT NO. 1**

**ENTERGY NUCLEAR OPERATIONS, INC
INDIAN POINT NUCLEAR GENERATING UNIT NO. 1
DOCKET NO. 50-3**

LICENSE AMENDMENT REQUEST

DESCRIPTION OF THE PROPOSED CHANGE

Entergy Nuclear Operations, Inc. (ENO) is requesting a change to the IP1 TS to simplify the IP1 TS and facilitate the Indian Point Nuclear Generating Unit No. 2 (IP2) transition to the ITS.

The IP1 TS that are affected by the proposed change are Sections:

- 1.0, General Information
- 1.1, Definitions
- 1.2, Exclusion Distance and Restricted Area
- 2.11, Fire Protection
- 3.1, Responsibility
- 3.2, Organization
- 3.3, Operating Instructions and Procedures
- 4.1, Operating Limitations – General
- 5.2, Testing
- 5.4, Sealed Sources
- 6.1, Routine Reports and Reportable Occurrences
- 6.2, Special Reports
- 6.3, Reportable Event Action
- 6.4, (untitled)

Other editorial changes are proposed. ENO also requests that the IP1 TS be reformatted, reordered, and repaginated for clarity and consistency.

EVALUATION OF THE PROPOSED TS CHANGES

The changes to each TS section are individually evaluated as follows:

Changes to Section 1.0, General Information

Description of Change

1. Delete reference to the site size. The Indian Point Energy Center (IPEC) site that is occupied by IP1, IP2, and IP3 is accurately described in IP2 TS Section 5.1, “Design Features – Site.”
2. Past tense is used to describe the IP1 reactor.
3. Clarify that the Decommissioning Plan was approved by the Commission’s “Order Approving Decommissioning Plan And Authorizing Decommissioning Of Facility,” dated January 31, 1996.
4. Delete definitions 1.1.2, 1.1.4, and 1.1.6.

Evaluation of Change

The changes do not affect ENO's method of complying with any regulation. They ensure that the general information presented is accurate and not duplicative of information presented in the IP2 TS. Since the sections containing the deleted definitions are being deleted, the definitions are no longer needed.

Changes to Section 2.11, Fire Protection

Description of Change

The paragraph stating that the Fire Protection and Detection system provided for protection of IP2 safe shutdown systems are addressed in the IP2 TS is deleted.

Evaluation of Change

The statement is inaccurate since the IP2 TS requirements to protect IP2 safe shutdown systems from fire have been relocated to License Condition 2.K by IP2 License Amendment No. 186. The statement is unnecessary since the regulatory requirements for the protection of IP2 safe shutdown systems from fire are completely governed by the IP2 License Condition 2.K.

Changes to Sections 3.1, Responsibility, 3.2, Organization, and 3.3 Operating Instructions and Procedures

Description of Change

Responsibility and Organization requirements that are duplicated in both the IP1 and IP2 TS are deleted from the IP1 TS.

Evaluation of Change

As described in Section 1 of the IP1 TS:

“Unit No. 1 and Unit No. 2 are physically contiguous and share a number of systems and facilities as well as a common operating organization. The technical specifications contained herein recognize this commonality as well as the intended use of the Unit No. 1 facilities to support Unit No. 2 until retirement of that unit, and contain specific references to Appendix A to the Indian Point Unit No. 2 Facility Operating License No. DPR-26.”

The changes will simplify the administration of the Indian Point site for both ENO and the NRC. Future changes to the organization and to the assignment of responsibilities will require only a single License Amendment.

The effectiveness of the ENO organization to ensure compliance with both the IP1 and the IP2 licenses is not affected. The clarifications that remain clearly establish the responsibility of the IP2 licensed Operations Department personnel for the operation of IP1.

Changes to Sections 4.1.2, 4.1.3, 4.1.4, Operating Limitations – General, and 5.2.6, Testing, for deletion of specific section numbers in the references to the IP2 TS

Description of Change

References to specific section numbers in the IP2 TS are deleted.

Evaluation of Change

Removing the specific IP2 TS section numbers from the IP1 TS does not change the requirement to comply with the applicable IP2 TS sections. In the future, the IP2 TS may be changed without the need to also process a companion amendment to the IP1 License. The identification of the specific IP2 section that is applicable to the IP1 activity is obvious from the activity.

Changes to Sections 4.1.4, Operating Limitations – General, and 5.2.5, Testing, for the deletion of requirements for a radiation monitor for the Nuclear Services Building Sewage Effluent Line

Description of Change

The requirements for the radiation monitoring system for the nuclear services building sewage effluent line are deleted.

Evaluation of the Change

The Nuclear Services Building (NSB) sewage effluent line radiation monitoring system was required to ensure that radioactive releases through the line were within the 10CFR20 limits. The toilet facilities for which monitoring was specified were originally located within the Radiologically Controlled Area (RCA) of the Nuclear Service Building (NSB) at elevation 53', elevation 72', and elevation 84'. Two toilets, one located at elevation 84' and one located at elevation 72', were removed from the NSB in the mid 1980's. The toilet facilities at the 53' elevation of the NSB were originally located within the RCA, however the RCA boundary has been relocated and the toilet facilities are now located outside the RCA. Therefore, there is no sewage from the NSB that originates within the RCA and monitoring of this path can be removed from the IP1 TS.

ENO therefore concludes that there will be no change in the effectiveness of the controls at the IPEC site to comply with the liquid radioactive effluent requirements of 10CFR20.

Changes to Section 4.1.5 and 4.1.6, Operating Limitations – General, and 5.4, Sealed Sources

Description of Change

The requirements for the IPEC Units 1 and 2 site Meteorological Monitoring, Radiological Environmental Monitoring and Sealed source programs are deleted from the IP1 TS.

Evaluation of Change

These programs are common IPEC Units 1 and 2 site programs whose activities cannot be identified by a Unit. The requirements of these programs are currently stated in the IP2 TS. However, neither of these programs meets any of the requirements of 10CFR50.36. Thus, neither program is included in NUREG-1431. Therefore, with the implementation of the ITS at IP2, the requirements for these programs will reside in licensee controlled documents. Eliminating the need to process duplicate License Amendments should these programs be changed conserves both NRC and ENO's resources while ensuring the appropriate level of regulatory control, i.e., the 10CFR50.59 process.

Changes to Sections 4.1.7, Operating Limitations – General

Description of Change

The requirements for a radiation protection plan are eliminated from the TS.

Evaluation of Change

There is a single, common radiation protection program for IPEC Units 1 and 2. The requirements for ENO compliance with 10CFR20 are included in IP1 license paragraph 3 and IP2 license condition 2.C.

Changes to Sections 6.1, Routine Reports and Reportable Occurrences, 6.2, Special Reports, and 6.3, Reportable Event Action

Description of Change

Reporting requirements are incorporated into the IP1 TS by reference to the corresponding IP2 TS.

Evaluation of Change

The requirements of the deleted sections are duplicative of IP2 TS requirements, so the IP2 requirements are incorporated by reference. Deleting these requirements does not affect the responsibility of ENO to make the reports, but it will simplify the administration of the ENO's licenses.

Since definitions 1.1.2, 1.1.4, and 1.1.6 are only used in the IP1 TS in the deleted sections, they are also deleted.

Changes to Sections 6.4, Applicability of FSAR

Description of Change

This change adds clarification that pages 171 through 176 are part of Section 3.7.1. The section is relocated to "Definitions" and references to documents are clarified.

Evaluation of Change

The information in the IP1 FSAR is largely historical. The only remaining safety functions relate to the maintenance of the spent fuel. The intent of this TS paragraph was to identify the sections of the IP1 FSAR that are applicable to its current license conditions. The change is a clarification since section 3.7.2 does not include pages 171 through 176. Section 3.7.2 describes the Spent Fuel Cooling system. Pages 171 through 176 are the part of Section 3.7.1 that describes the Fuel Handling Building Crane and Facilities. Both are applicable. The relocation and correct identification of references is editorial.

None of the proposed TS changes foreclose release of the site for possible unrestricted use; result in significant environmental impacts not previously reviewed; or result in there no longer being reasonable assurance that adequate funds will be available for decommissioning. None of the changes involve a major dismantlement activity or affect the approved Decommissioning Plan.

NO SIGNIFICANT HAZARDS CONSIDERATION

The proposed changes described above involve no significant hazards consideration. This conclusion is based on the evaluation, in accordance with 10 CFR 50.91(a)(1), of the three standards set forth in 10 CFR 50.92(c).

1. Does the proposed license amendment involve a significant increase in the probability or in the consequences of an accident previously evaluated?

The NSB sewage effluent line radiation monitor is not required to function to mitigate any postulated accident. The design or operation of the radiation monitor on the existing sewage effluent discharge line will not be changed by deleting operability and surveillance requirements for the NSB sewage effluent radiation monitor from the IP1 TS. The nuclear services building sewage effluent line is neither an accident initiator nor mitigator.

The other proposed changes do not result in a change to the design or operation of any plant structure, system or component. Therefore any assumptions of the operability or performance of any structure, system or component in accident evaluations are unchanged.

The proposed fire protection TS 2.11 involves deleting requirements from the IP1 TS that are solely applicable to IP2. Any assumptions of the operability or performance of any structure, system or component in IP2 accident evaluations, including the Fire Plan, are unchanged. Therefore, there is no increase in the probability or in the consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

The proposed TS change involves the deletion of operability and surveillance requirements for radioactive effluent monitoring of the NSB sewage effluent from the IP1 TS. The proposed TS changes do not affect the design or operation of any plant structure, system, or component.

Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

This change to TS 1.0 does not affect a design function for or the operation of any plant structure, system, or component. The change does not affect the method of ENO's compliance with any regulation.

The proposed TS change involving IP1 TS 2.11 statement governs the protection of IP2 safe shutdown systems from fire. Effective protection of IP2 safe shutdown systems from fire is mandated by IP2 License Condition 2.K. The effectiveness of ENO compliance with IP2 License Condition 2.K is not affected by this change. In addition, this change does not affect a design function or the operation of any plant structure, system, or component.

The proposed changes to TS sections 3.1 and 3.2 involve eliminating the duplication of requirements in the IP1 TS and incorporating the requirements by reference to the IP2 TS. A single ENO organization operates both IP1 and IP2. The effective organizational requirements to ensure compliance with all ENO IP1 and IP2 site requirements are mandated by the IP2 TS. The effectiveness of ENO's safety management of the Indian Point site is not affected by this change. In addition, this change does not affect a design function or the operation of any plant structure, system, or component.

The proposed TS change to sections 4.1 and 5.2 involves eliminating the reference in the IP1 TS to the specific applicable section number of the IP2 TS. A single organization operates both IP1 and IP2. The applicable IP2 TS is obvious by the activity title. The effectiveness of ENO's safety management of the Indian Point site is not affected by this change. In addition, this change does not affect a design function or the operation of any plant structure, system, or component.

Effective compliance with the 10CFR20 requirements for radiation protection and monitoring radioactive effluent releases is mandated by other IP1 and IP2 TS and license provisions. The effectiveness of ENO compliance with 10CFR20 requirements is not adversely affected by the elimination of TS requirements for the radiation protection plan and radioactive effluent monitoring on the nuclear services building sewage effluent line.

The proposed TS change involves requirements for the site Meteorological Monitoring and Radiological Environmental Monitoring programs. However, IP2 TS provisions mandate effective compliance for meteorological and radiological environmental monitoring. The effectiveness of ENO compliance with 10CFR50.47, 10CFR100, and 10CFR20 requirements is not adversely affected by this change. In addition, this change does not affect a design function or the operation of any plant structure, system, or component. IP2 TS provisions mandate effective compliance with requirements for radiation protection. The effectiveness of ENO's compliance with 10CFR20 is not adversely affected by this change or the change to the section for sealed sources. In addition, this change does not affect a design function or the operation of any plant structure, system, or component.

The proposed TS change involves the location of routine and event reporting requirements. However, other IP2 TS provisions mandate effective compliance with reporting requirements. In addition, this change does not affect a design function or the operation of any plant structure, system, or component.

The effectiveness of ENO's compliance with 10CFR50.59 is not adversely affected by the clarification and relocation of the applicability of the FSAR. In addition, this change does not affect a design function or the operation of any plant structure, system, or component.

Therefore, the change does not result in a change to any of the safety analyses or any margin of safety.

CONCLUSION

In all cases, the proposed changes to the TS do not involve physical changes to the plant, changes to the operation of plant systems, or changes to the plant safety analyses. Accordingly, these proposed requirements involve no significant hazards consideration. The onsite safety review committee and the offsite safety review committee have reviewed the proposed changes. Both committees concur that the proposed changes involve no significant hazards consideration as defined by 10CFR50.92(c).

ENVIRONMENTAL ASSESSMENT

An environmental assessment is not required for the proposed changes because the requested changes to the IP1 TS conform to the criteria for "actions eligible for categorical exclusion," as specified in 10CFR51.22(c)(9). The requested changes will have no impact on the environment. The proposed changes involve no significant hazards consideration as discussed in the preceding section. The proposed changes do not involve a significant change in the types or significant increase in the amounts of any effluents that may be released offsite. In addition, the proposed changes do not involve a significant increase in individual or cumulative occupational radiation exposure.

ATTACHMENT 2 TO NL-02-042

**IP1 LICENSE AMENDMENT REQUEST
TECHNICAL SPECIFICATION PAGES IN
STRIKEOUT/SHADED FORMAT**

Deleted text is shown as ~~strikeout~~.

Added text is shown as shaded.

TECHNICAL SPECIFICATIONS

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Appendix A to
Provisional Operating License DPR-5
For the
Entergy Nuclear Indian Point 2, LLC
and Entergy Nuclear Operations, Inc.

1.0 GENERAL INFORMATION

The facility, known as the Indian Point Station Unit No. 1, is located on a ~~the 235-acre~~ site in the Village of Buchanan, Westchester County, New York. The Indian Point Station Unit No. 2 and the Indian Point Station Unit No. 3 share this site.

Indian Point Unit No. 1 includes a pressurized water reactor, which operated with an authorized maximum steady state power level of 615 thermal megawatts until October 31, 1974. Pursuant to thea June 19, 1980 "Commission Order Revoking Authority to Operate Facility" and thea "Decommissioning Plan for Indian Point Unit No. 1" ~~submitted by Con Edison to NRC on October 17, 1980 in accordance with that Order~~ approved by the NRC in an Order dated January 31, 1996, the reactor remains in a defueled status and the unit continues to operate as a support facility for overall Indian Point Units 1 and 2-site operations. Unit No. 1 and Unit No. 2 are physically contiguous and share a number of systems and facilities as well as a common operating organization. The technical specifications contained herein recognize this commonality as well as the intended use of the Unit No. 1 facilities to support I Unit No. 2 until retirement of that unit, and contain specific references to Appendix A to the Indian Point Station Unit No. 2 Facility Operating License No. DPR-26. Unit No. 1 contains radioactive waste processing facilities, which provide waste processing services for both Unit No. 1 and Unit No. 2. Radiological effluent limits are met on an overall site basis and specific operating limits and surveillance requirements for effluent monitoring instrumentation, including stack noble gas monitoring, are discussed in ~~Appendix A to the Indian Point Unit No. 2 Facility Operating License No. DPR-26~~ the Offsite Dose Calculation Manual.

1.1 Definitions

1.1.1 Final Safety Analysis Report

The Final Safety Analysis Report (FSAR) for Indian Point Unit No. 1, shall be deemed to refer to, as appropriate, the "Final Hazards Summary Report for the Consolidated Edison Indian Point Reactor Core B" and the following exhibits, which are a part of the original license application for IP1:

- Docket 50-3 Exhibit K-5 (Rev. 1), "Hazards Summary Report Consolidated Edison Thorium Reactor." (January, 1960) Figures 1-2, 1-3, 3-14 only.
- Docket 50-3 Exhibit K-5A11, "Supplementary Information on Plant Design of Consolidated Edison Nuclear Steam Generating Station," (August 1960) Section 3.7.1, pages 171 through 176 only and Section 3.7.2.

1.1.2 Operable-Operability

A system, subsystem, train, component or device shall be operable or have operability when it is capable of performing its intended safety function(s). Implicit in this definition shall be the assumption that necessary instrumentation, controls, electrical power sources, cooling or seal water, lubrication or other auxiliary equipment that are required for the system, subsystem, train, component, or device to perform its safety function(s) are also capable of performing their related support functions.

~~1.1.2 Member(s) of the Public~~

~~Member(s) of the Public includes all persons who are not occupationally associated with the site. This category does not include employees of either Entergy Nuclear Indian Point 2, LLC (ENIP2), Entergy Nuclear Operations, Inc. (ENO), or other site licensee, their contractors or vendors. Also excluded from this category are persons who enter the site to service equipment or to make deliveries.~~

1.1.3 Offsite Dose Calculation Manual (ODCM)

The Offsite Dose Calculation Manual contains the current methodology and parameters used in the calculation of offsite doses due to radioactive gaseous and liquid effluents, in the calculation of gaseous and liquid effluent monitoring alarm/trip setpoints, and in the conduct of the environmental radiological monitoring program. Requirements for the ODCM are specified in Appendix A to the Indian Point Nuclear Generating Unit No. 2 Facility Operating License No. DPR-26.

1.1.4 Process Control Program (PCP)

~~The Process Control Program is a manual containing and/or referencing selected operational information concerning the solidification of radioactive wastes from liquid systems.~~

1.1.54 Site Boundary

The Site Boundary is that line beyond which the land is neither owned, leased, nor otherwise controlled by either ENIP2, ENO, or other site licensee.

~~1.1.6~~ Solidification

~~Solidification is the conversion of wet wastes into a form that meets shipping and burial ground requirements.~~

1.1.75 Unrestricted Area

An Unrestricted Area is any area at or beyond the Site Boundary, access to which is not controlled by either ENIP2, ENO, or other site licensee for purposes of protection of individuals from exposure to radiation and radioactive materials.

1.2 Exclusion Distance and Restricted Area

1.2.1 The minimum distance from the reactor facility to the nearest land boundary of the exclusion area, as defined in ~~Part 10CFR100 of the Commission's regulations,~~ shall be 1400 feet.

1.2.2 The minimum distance from the reactor center line to the boundary of the site exclusion area and the outer boundary of the low population zone as defined in 10CFR100.3 is 460 meters and 1100 meters, respectively. ~~For the purpose of satisfying 10 CFR Part 20, the Restricted Area is the same as the Exclusion Area defined in Figure 2.2-2 of Section 2.2 of the IP#2 FSAR.~~

1.3 Principal Activities

~~1.3.1~~—The principal activities carried on within the Exclusion Area shall be the generation, transmission and distribution of steam and electrical energy (except by gas-fired power plant); associated service activities; activities relating to the controlled conversion of the atomic energy of fuel to heat energy by the process of nuclear fission; and the storage, utilization and production of special nuclear, source and byproduct materials. Transmission and distribution of natural gas shall be through the use of facilities located as described in the application as amended.

2.0 REACTOR FACILITY DESIGN PERFORMANCE REQUIREMENTS

2.51 Electrical Power Supply

2.5.1 Major Supplies

2.5.1.1 Power for electrical equipment shall normally be supplied by at least two independent transmission feeders from the Consolidated Edison system. If power is lost to the spent fuel storage area radiation monitor, a portable monitor will be promptly set up in the spent fuel storage area.

2.10.2 Fuel Storage

2.10.2.1 No fuel other than irradiated fuel from Indian Point Unit No. 1 shall be stored in the Unit No. 1 spent fuel storage area. No fresh fuel shall be stored at Unit No. 1.

2.10.2.2 Spent fuel storage shall be provided in the storage pools in the Fuel Handling Building. The Fuel Handling Building and the spent fuel storage pool will contain the spent fuel until such time as offsite spent fuel management facilities are provided for, and the spent fuel is transferred to the Department of Energy, or as authorized by 10 CFR Part 72.

2.10.2.3 Spent fuel storage shall be provided with racks that shall limit the effective multiplication factor to less than 0.75.

2.10.2.4 Radiation levels in the spent fuel storage area shall be monitored continuously with a high level alarm indication in a location manned by a licensed operator * whenever there is irradiated fuel stored therein. If the monitor is inoperable, a portable monitor may be used. In such cases, provisions shall be made for prompt notification of a licensed operator upon actuation of the portable monitor's high level alarm.

2.10.2.5 If a spent fuel pool contains spent fuel, the spent fuel cask shall not be moved over that pool or within a distance of that pool such that the cask could strike the pool if it fell or tipped.

2.10.2.6 A dead-load test shall be successfully performed on the fuel handling building crane before fuel movement begins. The load assumed by the crane for this test must be equal to or greater than the maximum load to be assumed by the crane during the fuel handling operation. A thorough visual inspection of the crane shall be made after the dead-load test and prior to fuel handling.

* Licensed Operator for IP-2

2.113 Fire Protection

Overall site fire protection is provided by a fire protection system, which is common to both Unit No. 1 and Unit No. 2. Operation, maintenance and testing are controlled by ~~station~~ common procedures.

~~Fire protection and detection systems provided for protection of Indian Point Energy Center Unit No. 2 safe shutdown systems are addressed in Appendix A to the Indian Point Energy Center Unit No. 2 Facility Operating License No. DPR-26.~~

3.0 ADMINISTRATIVE AND PROCEDURAL SAFEGUARDS

3.1 Responsibility

~~3.1.1 The Vice President Nuclear Power shall be responsible for overall facility activities and shall delegate in writing the succession to this responsibility during his absence. Responsibilities are as specified in Appendix A to the Indian Point Nuclear Generating Unit No. 2 Facility Operating License No. DPR-26.~~

~~3.1.2 The Plant Manager shall be responsible for facility operations and shall delegate in writing the succession to this responsibility during his absence.~~

3.2 Organization

~~3.2.1 Onsite and offsite organizations shall be established for unit operation and corporate management, respectively. The onsite and offsite organization shall include the positions for activities affecting the safety of the nuclear power plant. The organization requirements are as specified in Appendix A to the Indian Point Nuclear Generating Unit No. 2 Facility Operating License No. DPR-26.~~

- ~~a. Lines of authority, responsibility, and communication shall be established and defined for the highest management levels through intermediate levels to and including all operating organization positions. These relationships shall be documented and updated, as appropriate, in the form of organization charts, functional descriptions of departmental responsibilities and relationships, and job descriptions for key personnel positions, or in equivalent forms of documentation. These requirements shall be documented in the Quality Assurance Program Description (QAPD).~~
- ~~b. The Plant Manager shall be responsible for overall unit safe operation and shall have control over those onsite activities necessary for safe operation and maintenance of the plant.~~
- ~~c. The Vice President Nuclear Power shall have corporate responsibility for overall plant nuclear safety and shall take any measures needed to ensure acceptable performance of the staff in operating, maintaining, and providing technical support to the plant to ensure nuclear safety.~~
- ~~d. The individuals who train the operating staff and those who carry out health physics and quality assurance functions may report to the appropriate onsite manager, however, they shall have sufficient organizational freedom to ensure their independence from operating pressures.~~
- ~~e. DELETED~~

- f. ~~The review and audit functions of the Station Nuclear Safety Committee (SNSC) and the Nuclear Facilities Safety Committee (NFSC) are described in the Quality Assurance Program Description (QAPD).~~
- ga. All fuel handling shall be under the direct supervision of a licensed operator.*
- hb. The Shift Manager is responsible for operations at the Unit No. 1 facility.
- i. ~~The qualification requirements of the Operations Manager and the Assistant Operations Manager are provided in Sections 6.2.2 and 6.3 of Appendix A to the Indian Point Unit No. 2 Facility Operating License No. DPR-26.~~

* Licensed operator for IP-2

3.3 Operating Instructions and Procedures

- 3.3.1 No fuel will be loaded into the reactor core or moved into the reactor containment building without prior review and authorization by the Nuclear Regulatory Commission.
- 3.3.2 Detailed written instruction setting forth procedures used in connection with the operation and maintenance of the nuclear power plant shall conform to the ~~Technical Specifications~~ requirements specified in Appendix A to the Indian Point Nuclear Generating Unit No. 2 Facility Operating License No. DPR-26.
- 3.3.3 Operation and maintenance of equipment related to safety when there is no fuel in the reactor shall be in accordance with written instructions.

4.0 OPERATING LIMITATIONS

4.1 General

4.1.1—Whenever any operation is being performed that could result in the release of radioactivity or create a change in radiation levels, supporting facilities shall be maintained and operated as required in these Technical Specifications.

4.1.2 Release of Radioactive Liquids and Gases

The concentration of radioactive materials released in liquid or gaseous form to unrestricted areas shall not exceed the limits specified in 10 CFR Part 20. Release of radioactive liquids and gases shall also be consistent with the requirements of 10 CFR Part 50, Appendix I, as specified in ~~Specifications 3.9 and 4.10 of Appendix A to the Indian Point Unit No. 2 Facility Operating License No. DPR-26~~ the ODCM.

4.1.3 Radioactive Waste

All radioactive waste material shall be handled in accordance with 10 CFR Part 20. In addition, solid radioactive waste shall be controlled as specified in the Process Control Program. ~~Specifications 3.9.D and 4.10.D of Appendix A to the Indian Point Station Unit No. 2 Facility Operating License No. DPR-26.~~

4.1.4 Radiation Monitoring

Radiation monitoring systems shall be maintained operable for: (1) ~~nuclear services building sewage,~~ (2) sphere foundation sump, (32) secondary purification blowdown cooling water, and (43) area radiation monitors. If monitoring systems are not operable, effluent sampling and/or local monitoring shall be accomplished to replace the non-operating system. In addition, Unit 1 radioactive effluent monitoring instrumentation shall be operable as specified in ~~Specification 3.9 of Appendix A to Indian Point Unit No. 2 Facility Operating License No. DPR-26~~ the ODCM.

4.1.5—~~The Indian Point site meteorological monitoring system shall be maintained and operated as specified in Specifications 3.15 and 4.19 of Appendix A to the Indian Point Unit No. 2 Facility Operating License No. DPR-26.~~

4.1.65 Radiological Environmental Monitoring

The Indian Point site Radiological Environmental Monitoring Program shall be conducted as specified in ~~Specification 4.11 of Appendix A to the Indian Point Unit No. 2 Facility Operating License No. DPR-26~~ the ODCM.

~~4.1.7~~ Radiation Protection Program

~~Procedures for personnel radiation protection shall be prepared consistent with the requirements of 10 CFR Part 20 and shall be approved, maintained and adhered to for all operations involving personnel radiation exposure.~~

~~4.1.8~~ DELETED

4.4.96 Spent Fuel Storage and Handling

4.4.96.1 All irradiated fuel shall be stored in the racks provided in the Fuel Handling Building Storage pools, with sufficient shielding that ensures that the radiation level on the operating deck is ≤ 15 mr/hr. Should the radiation level be found to be above 15 mr/hr, corrective action shall be initiated to restore the level to ≤ 15 mr/hr.

4.1-96.2 Whenever, spent fuel storage pool water inventory is provided for personnel shielding, the normal water level shall be maintained at or above elevation 48 feet (approximately 6 feet above the top of the spent fuel racks). Any pool in which spent fuel is stored shall be subject to weekly verification of water level. Should the water level be found to be below elevation 48 foot, both pool level and radiation level on the operating deck shall be verified daily. Should the water level be found to be below elevation 47 foot, corrective action shall be initiated to investigate the reason for the reduced level and restore the level to ≥ 48 foot.

4.1-96.3 Water chemistry in any spent fuel storage pool containing spent fuel shall be maintained within the following limits:

Chlorides: ≤ 1.5 ppm

pH: 4.0 - 8.0

Conductivity ≤ 20 $\mu\text{s}/\text{cm}$

Should any of the above parameters be found to deviate from the specified limits an effort shall be promptly initiated to investigate the cause of the deviation and a process to restore the parameter to within the applicable limit shall be established in a timely fashion.

4.1-96.4 Ventilation capable of directing all Fuel Handling Building airborne effluents through monitoring pathways shall be available during any fuel movement or other activity that might potentially damage spent fuel assemblies.

5.0 MAINTENANCE

5.1 General

5.1.2—Components addressed in these technical specification requirements, which have been repaired, replaced, or otherwise subjected to temporary or permanent modification, shall be tested in accordance with procedures,

which are appropriate in view of the nature of the repair, replacement, or modification, and the condition of the system.

5.2 Testing

5.2.51 Functional radiation monitoring systems (only for the following: ~~nuclear services building sewage, sphere foundation sump,~~ and secondary purification blowdown cooling water) and area radiation monitoring systems shall be:

- (a) qualitatively checked daily to verify acceptable operability of instrument channel behavior during operation, and
- (b) tested quarterly by injection of a simulated signal into the instrument channel to verify that it is operable, including alarm and/or trip initiating action. The quarterly interval is defined as quarterly plus or minus 25% of the quarter.

5.2.62 Unit 1 radioactive effluent monitoring instrumentation shall satisfy the surveillance requirements as specified in ~~Specification 4.10 of Appendix A to the Indian Point Unit No. 2 Facility Operating License No. DPR-26~~ the ODCM.

5.3 Spent Fuel Storage Pool Sampling

Any spent fuel storage pool containing spent fuel stored in water shall be sampled monthly for chloride level, pH and Cesium 137 activity. If Cesium 137 activity is found to be elevated above normal levels, an effort shall be promptly initiated to investigate the cause of the elevated level and take subsequent corrective action, as appropriate.

5.4 ~~Sealed Sources~~

~~All sealed sources located on the Indian Point Units 1 and 2 Site are maintained under the Indian Point Unit No. 2 Facility Operating License No. DPR-26 and surveillance and use of such sources are addressed in Appendix A to the Indian Point Unit No. 2 Facility Operating License No. DPR-26.~~

6.0 PLANT REPORTING REQUIREMENTS

6.1 Routine Reports and Reportable Occurrences

Reporting Requirements are as specified in Appendix A to the Indian Point Nuclear Generating Unit No. 2 Facility Operating License No. DPR-26. In addition to the applicable reporting requirements of Title 10, Code of Federal Regulations, the following reports shall be submitted to the Regional Administrator Region I, unless otherwise noted.

6.1.2 Annual Radiological Environmental Operating Report¹

6.1.2.1 ~~The Annual Radiological Environmental Operating Report covering the operation of the unit during the previous calendar year shall be submitted prior to May 1 of each year.~~

6.1.2.2 ~~The Annual Radiological Environmental Operating Report shall include summaries, interpretations, and statistical evaluation of the results of the radiological environmental surveillance activities for the report period, including (as appropriate) a comparison with preoperational studies, operational controls and previous environmental surveillance reports, and an assessment of the observed impacts of the plant operation on the environment. The report shall also include the results of land use censuses required by Specification 4.11.B. of Appendix A to the Indian Point Unit No. 2 Facility Operating License No. DPR-26.~~

~~The Annual Radiological Environmental Operating Report shall include the results of analysis of all radiological environmental samples and of all environmental radiation measurements taken during the period pursuant to the locations specified in the Table and Figures in the ODCM, as well as summarized and tabulated results of these analyses and measurements as described in the ODCM. In the event that some individual results are not available for inclusion with the report, the report shall be submitted noting and explaining the reasons for the missing results. The missing data shall be submitted as soon as possible in a supplementary report.~~

¹ A single submittal may be made for a multiple unit station. The submittal should combine those sections that are common to all units at the station.

~~The reports shall also include the following: a summary description of the radiological environmental monitoring program; at least two legible maps³ covering all sampling locations keyed to a table giving distances and directions from the centerline of one reactor; the results of ENO participation in the Interlaboratory Comparison Program; discussion of all deviations from the sampling schedule; and discussion of all analyses in which the LLD required was not achievable.~~

~~6.1.3 Radioactive Effluent Release Report¹~~

~~6.1.3.1 Routine Radioactive Effluent Release Reports covering the previous 12 months of operation shall be submitted by May 1 of each year.~~

~~6.1.3.2 The Radioactive Effluent Release Report shall include a summary of the quantities of radioactive liquid and gaseous effluents and solid waste released from the unit as outlined in the Regulatory Guide 1.21, "Measuring, Evaluating, and Reporting Radioactivity in Solid Wastes and Releases of Radioactive Materials in Liquid Gaseous Effluents from Light Water Cooled Nuclear Power Plants", Revision 1, June 1974, with data summarized on a quarterly basis following the format of Appendix B thereof.~~

~~The Radioactive Effluent Release Report to be submitted by May 1 of each year shall include an annual summary of hourly meteorological data collected over the previous year. This annual summary may be either in the form of an hour-by-hour listing of magnetic tape of wind speed, wind direction, atmospheric stability, and precipitation (if measured), or in the form of joint frequency distribution of wind speed, wind direction, and atmospheric stability.⁴ This same report~~

¹~~A single submittal may be made for a multiple unit station. The submittal should combine these sections that are common to all units at the station.~~

³~~One map shall cover stations near the site boundary; a second shall include more distant stations.~~

⁴~~In lieu of submission with the first half year Radioactive Effluent Release Report, ENO has the option of retaining this summary of required meteorological data on site in a file that shall be provided to the NRC upon request.~~

~~shall include an assessment of the radiation doses due to the radioactive liquid and gaseous effluents released from the unit or station during the previous calendar year. This same report shall also include an assessment of the radiation doses from radioactive liquid and gaseous effluents to members of the public due to their activities inside the site boundary during the report period. All assumptions used in making these assessments, i.e., specific activity, exposure time and location, shall be included in these reports. The meteorological conditions concurrent with the time of release of radioactive materials in gaseous effluents, as determined by sampling frequency and measurement, shall be used for determining the gaseous pathway doses. Approximate and conservative approximate methods are acceptable. The assessment of radiation doses shall be performed in accordance with the methodology and parameters in the Offsite Dose Calculation Manual (ODCM).~~

~~Acceptable methods for calculating the dose contribution from liquid and gaseous effluents are given in Regulatory Guide 1.109 Rev. 1, October 1977.~~

~~The Radioactive Effluent Release Report shall include the following information for each class of solid waste (in compliance with 10 CFR Part 61) shipped offsite during the report period:~~

- ~~a) — Container volume.~~
- ~~b) — Total Curie quantity (specify whether determined by measurement or estimate);~~
- ~~c) — Principal radionuclides (specify whether determined by measurement or estimate);~~
- ~~d) — Source of waste and processing employed (e.g., dewatered spent resin, compacted dry waste, evaporator bottom);~~
- ~~e) — Type of container (e.g., LSA, Type A, Type B, Large Quantity), and~~

~~f) Solidification agent or absorbent (e.g., cement, urea formaldehyde).~~

~~The Radioactive Effluent Release Report shall include a list and description of unplanned releases from the site to unrestricted areas of radioactive materials in gaseous and liquid effluents made during the reporting period.~~

~~The Radioactive Effluent Release Report shall include any changes made during the reporting period to the Process Control Program (PCP) and to the Offsite Dose Calculation Manual (ODCM), as well as a listing of new locations for dose calculations and/or environmental monitoring identified by the land use census pursuant to Specification 4.11.B of Appendix A to the Indian Point Unit No. 2 Facility Operating License No. DPR-26.~~

~~6.2 Special Reports~~

~~6.2.1 Reports of major safety-related corrective maintenance shall be submitted to the Director, Office of Resource Management, U.S. Nuclear Regulatory Commission, Washington, DC 20555, with a copy to the Regional Administrator - Region I, no later than 6 months following completion of such maintenance.~~

~~6.2.2 Each such report shall include a description of any major safety-related corrective maintenance performed including the system and component involved.~~

~~6.3 Reportable Event Action~~

~~6.3.1 A Reportable Event is defined as any of the conditions specified in 10 CFR 50.73.a(2).~~

~~6.3.2 The following actions shall be taken in the event of a reportable Event:~~

~~a. A report shall be submitted to the Commission pursuant to the requirements of 10 CFR 50.73 and~~

~~b. Each Reportable Event report submitted to the Commission shall be submitted to the NFSC Chairman, and the Vice President Nuclear Power and be reviewed by the SNSC.~~

~~6.4 Any references to the term "Safety Analysis Report", "SAR" or "FSAR" for Indian Point Station, Unit No. 1, shall be deemed to refer, as appropriate, to the following exhibits which are a part of the application: K-5 (Rev. 1) Figures 1-2, 1-3, 3-14 only, K-5A11 Section 3.7.2 pages 171 through 176 only.~~

ATTACHMENT 3 TO NL-02-042

IP1 LICENSE AMENDMENT REQUEST

**Evaluation of Changes to the Order Approving Decommissioning Plan
and Authorizing Decommissioning of Facility**

**ENTERGY NUCLEAR OPERATIONS, INC
INDIAN POINT NUCLEAR GENERATING UNIT NO. 1
DOCKET NO. 50-3**

Evaluation of Changes to the Order Approving Decommissioning Plan and Authorizing Decommissioning of Facility

Description of Change

ENO requests that the IP1 license be amended to supersede the following requirements of the "Order Approving Decommissioning Plan and Authorizing Decommissioning of Facility," dated January 31, 1996, (the Order) to ensure compliance with the current requirements of 10CFR50.59, "Changes, Tests, and Experiments," and 50.82, "Termination of License," for evaluating whether changes may be made to IP1 without prior NRC approval.

The specific changes requested are:

- On page 2, second paragraph, replace the phrase "...after performing a review based upon criteria similar to the criteria of Title 10 of the Code of Federal Regulations (10 CFR 50.59) to ensure that such changes do not involve an unreviewed safety question." with the phrase ", without prior Commission approval, provided the requirements of 10 CFR 50.59 and 10 CFR 50.82(a)(6) and (7) are satisfied."
- Order Condition (a)(1), replace the phrase "...unless the proposed changes, tests or experiments involve a) a change in the Technical Specifications (TSs) incorporated in the license or b) an unreviewed safety question, or c) major dismantlement activities such as the removal of the reactor pressure vessel or other major radioactive components" with the phrase "provided the requirements of 10 CFR 50.59 and 10 CFR 50.82(a)(6) and (7) are satisfied".
- Delete Order Conditions (a)(2), (b) and (c).

Reason for the Change

The conditions of the Order for determining whether or not changes may be made to IP1 without prior NRC approval are no longer consistent with the Commission's regulations. The proposed changes will ensure effective compliance with the Commission's requirements by eliminating ambiguity and confusion. This will also simplify the administration of programs at the Indian Point site.

Evaluation of Change

10CFR50.82, "Termination of License," states:

"For power reactor licensees who, before the effective date of this rule [July 29, 1996], either submitted a decommissioning plan for approval or possess an approved decommissioning plan, the plan is considered to be the PSDAR submittal required under paragraph (a)(4) of this section and the provisions of this section apply accordingly."

10CFR50.82(a)(6) and (7) for power reactor licensees states:

"(6) Licensees shall not perform any decommissioning activities, as defined in §50.2, that --

- (i) Foreclose release of the site for possible unrestricted use;
 - (ii) Result in significant environmental impacts not previously reviewed; or
 - (iii) Result in there no longer being reasonable assurance that adequate funds will be available for decommissioning.
- (7) In taking actions permitted under §50.59 following submittal of the PSDAR, the licensee shall notify the NRC, in writing and send a copy to the affected State(s), before performing any decommissioning activity inconsistent with, or making any significant schedule change from, those actions and schedules described in the PSDAR, including changes that significantly increase the decommissioning cost.”

Since the IP1 Decommissioning Plan for long-term safe storage was submitted on October 17 1980, the Decommissioning Plan constitutes a PSDAR for the purposes of complying with 10CFR50.82. 10CFR50.82 describes the conditions under which changes can be made. Since the Decommissioning Plan only approved the SAFSTOR of IP1 and not the dismantlement, the Order requires the submittal of a detailed dismantling plan for NRC review and approval prior to major dismantlement activities at IP1.

10CFR 50.59, “Changes, tests and experiments,” has been revised since the Order was issued. 10CFR50.59 no longer uses the term “unreviewed safety question” and uses different criteria than stated in the Order for determining whether or not prior Commission approval is required for implementing a change, test, or experiment.

IP1 License Condition 3.C requires the retention of records under applicable regulations. 10CFR50.59 applies to IP1 changes, tests, and experiments. Order Condition (b) is duplicative of (but slightly different) from the current 10CFR50.59(d).

Order Condition (c) is duplicative of the requirements in 10CFR50.59(c)(1) and (2) that specify whether a license amendment, pursuant to 10 CFR 50.90, is required prior to implementing a proposed change, test, or experiment.

The requested changes do not foreclose release of the site for possible unrestricted use; result in significant environmental impacts not previously reviewed; or result in there no longer being reasonable assurance that adequate funds will be available for decommissioning. The requested changes do not involve a major dismantling activity nor do they affect the Decommissioning Plan.

NO SIGNIFICANT HAZARDS CONSIDERATION

The proposed changes described involve no significant hazards consideration. This conclusion is based on the evaluation of the three standards set forth in 10 CFR 50.92(c).

1. **Does the proposed license amendment involve a significant increase in the probability or in the consequences of an accident previously evaluated?**

The proposed IP1 license change involves deleting specific language in the Order that was common terminology in past regulations but is not currently used. The proposed change does not involve a change to any IP1 system, structure, or component. Therefore, the proposed change does not increase the probability or the consequences of any accident previously evaluated in the IP1 FSAR or the IP1 Decommissioning Plan.

2. **Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?**

The proposed IP1 license change involves deleting specific language in the Order that was common terminology in past regulations but is not currently used. The proposed change does not affect the design or operation of any plant structure, system, or component. Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. **Does the proposed amendment involve a significant reduction in a margin of safety?**

The proposed IP1 license change involves deleting specific language in the Order that was common terminology in past regulations but is not currently used. The effectiveness of ENO compliance with 10CFR50.59 and 10CFR50.82 is not adversely affected by this change. Effective compliance with the provisions of the Order to submit a detailed dismantling plan for NRC review and approval prior to major dismantling activities at IP1 is not affected. In addition, this change does not affect any design function or the operation of any plant structure, system, or component. Therefore, the change does not result in a change to any of the safety analyses or to any margin of safety.

ATTACHMENT 4 TO NL-02-042

IP1 LICENSE AMENDMENT REQUEST

Evaluation of Change to the Expiration Date of the License

**ENTERGY NUCLEAR OPERATIONS, INC
INDIAN POINT NUCLEAR GENERATING UNIT NO. 1
DOCKET NO. 50-3**

Evaluation of Change to the Expiration Date of the License

Description of Change

ENO requests that the IP1 license be amended to change to expiration date from “midnight, October 14, 2006” to “midnight, September 28, 2013.”

Reason for the Change

The expiration date of the license is not consistent with the decommissioning plan approved by the NRC in its January 31, 1996 “Order Approving Decommissioning Plan and Authorizing Decommissioning of Facility” (the Order).

Evaluation of Change

The decommissioning plan was approved for long-term safe storage (SAFSTOR) of the IP1 spent fuel and residual radioactivity until the adjacent Indian Point Unit No. 2 has been permanently shutdown. Not only the Order but the staff’s safety evaluation and environmental assessment regarding the Order clearly indicated approval for the licensee to possess and maintain IP1 in safe storage until IP2 is shutdown, at which time disposal of spent fuel and ultimate decommissioning would be jointly accomplished. The Safety Evaluation clearly states:

“This evaluation considers the possession-only license amendment, safety issues related to SAFSTOR of IP-1 to September 28, 2013, and the Con Ed financial assurance plan.”

In its Safety Evaluation accompanying the Commission’s August 27, 2001 Order (Ref 2) transferring the IP1 and IP2 licenses from Consolidated Edison to Entergy, the staff clearly understood that the decommissioning of IP1 would not occur before the cessation of operations of IP2 and affirmed the ENO financial assurance plan for the joint decommissioning of IP1 and IP2.

The IP2 Facility Operating license No. DPR-26 originally expired on October 14, 2006, 40 years after the issuance of the IP2 construction permit. However, in IP2 License Amendment No. 118 (Ref 3), the license expiration date was changed to September 28, 2013.

As described in the staff’s January 31, 1996 Safety Evaluation for IP1 License Amendment No. 45, the Notice of Consideration of Issuance of Amendment and Opportunity for Hearing was published in the Federal Register on December 31, 1985. The notice stated a license renewal date of October 14, 2006 to coincide with the permanent planned shutdown of IP2. Subsequent to the notice, the IP2 license expiration date was changed and the NRC was notified of the intent to delay dismantlement of IP1 until after that date. The safety evaluation for IP1 License Amendment No. 45 states:

“This safety evaluation and the enclosed environmental assessment of the decommissioning plan are consistent with the 2013 date. However, we have renewed License No. DPR-5 to October 14, 2006 to be consistent with the license

renewal application as noticed in the December 31, 1985 Federal Register Notice in order to put new TSs for the current shutdown condition in place.”

This recognition of the coupling of the IP1 decommissioning with the permanent cessation of IP2 operations, the IP2 license termination date in 2013, and the inconsistency between IP1 and IP2 license termination dates was also recognized in the staff’s Environmental Assessment for IP1 License Amendment No. 45.

The NRC has consistently recognized the coupling of the IP1 and IP2 decommissioning. To accomplish this, the expiration date of the current IP1 possession-only license should be changed to coincide with the expiration of the IP2 operating license.

The requested change does not foreclose release of the site for possible unrestricted use; result in significant environmental impacts not previously reviewed; or result in there no longer being reasonable assurance that adequate funds will be available for decommissioning. The proposed change does not involve a major dismantling activity nor does it affect the Decommissioning Plan.

NO SIGNIFICANT HAZARDS CONSIDERATION

The proposed changes described above involve no significant hazards consideration. This conclusion is based on the evaluation of the three standards set forth in 10 CFR 50.92(c).

1. Does the proposed license amendment involve a significant increase in the probability or in the consequences of an accident previously evaluated?

In its Safety Evaluation and Environmental Assessment for its January 31, 1996 Order Approving Decommissioning Plan and Authorizing Decommissioning of Facility, the NRC evaluated the acceptability of the possession-only license and safety issues related to SAFSTOR of Indian Point Nuclear Generating Unit No. 1 until September 28, 2013. The requested change does not involve any activity that could change the assumptions of the prior Safety Evaluation and Environmental Assessment.

Therefore, the proposed license amendment does not involve a significant increase in the probability or in the consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

In its Safety Evaluation and Environmental Assessment for its January 31, 1996 Order Approving Decommissioning Plan and Authorizing Decommissioning of Facility, the NRC evaluated the acceptability of the possession-only license and safety issues related to SAFSTOR of Indian Point Nuclear Generating Unit No. 1 until September 28, 2013. The requested change does not involve any activity that could change the assumptions of the prior Safety Evaluation and Environmental Assessment.

Therefore, the proposed amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

In its Safety Evaluation and Environmental Assessment for its January 31, 1996 Order Approving Decommissioning Plan and Authorizing Decommissioning of Facility, the NRC evaluated the acceptability of the possession-only license and safety issues related to SAFSTOR of Indian Point Nuclear Generating Unit No. 1 until September 28, 2013. The requested change does not involve any activity that could change the assumptions of the prior Safety Evaluation and Environmental Assessment.

Therefore, the proposed amendment does not involve a significant reduction in a margin of safety.

REFERENCES:

1. NRC letter to Consolidated Edison, "Order to Authorize Decommissioning and Amendment No. 45 to License No. DPR-5 for Indian Point Unit 1 (TAC No. M59664)," dated January 31, 1996
2. NRC letter to Consolidated Edison, "Indian Point Nuclear Generating Unit Nos. 1 and 2 – Order Approving Transfer of Licenses from the Consolidated Edison Company of New York, Inc., to Entergy Nuclear Indian Point 2, LLC, and Entergy Nuclear Operations, Inc. and Approving Conforming Amendments (TAC Nos. MB0743 and MB0744), dated August 27, 2001
3. NRC letter to Consolidated Edison, issuing Amendment No. 118 to Facility Operating License No. DPR-26, dated April 21, 1987