

Date: July 26, 2002

OFFICE OF NUCLEAR REACTOR REGULATION
NOTIFICATION OF SIGNIFICANT LICENSING ACTION

LICENSEE: Entergy Nuclear Indian Point 2, LLC
Indian Point Nuclear Generating Unit No. 2
Docket No. 50-247

SUBJECT: PROPOSED ISSUANCE OF A FINAL NO SIGNIFICANT HAZARDS
CONSIDERATION DETERMINATION AND LICENSE AMENDMENT FOR WHICH
A HEARING HAS BEEN REQUESTED (TAC NO. MB2414)

This is to inform the Commission that a final no significant hazards consideration determination and license amendment will be issued on or about August 5, 2002, (at least 5 days after Commission notification) to Entergy Nuclear Operations, Inc. for the Indian Point Nuclear Generating Unit No.2 (IP2). This action is being taken in response to the licensee's amendment application dated July 13, 2001, submitted by Consolidated Edison Company of New York, Inc. (Con Edison), the former licensee, as supplemented by letters dated November 30, 2001, March 13, April 3, May 30, and June 13, 2002. The amendment will modify License No. DPR-26 for IP2, by making a one-time change to Technical Specification Surveillance Requirement 4.4.A.3 to revise the frequency for the containment integrated leak rate test (ILRT, Type A test) from at least once per 10 years to once per 15 years. The change will apply only to the interval following the last Type A test that was satisfactorily performed in June 1991 at IP2.

On September 6, 2001, Con Edison transferred its ownership interests in IP2 to Entergy Nuclear Indian Point 2, LLC and its operating authority under the IP2 license to Entergy Nuclear Operations, Inc. (ENO). By letter dated September 20, 2001, ENO requested that the U.S. Nuclear Regulatory Commission (NRC) continue to review and act on all requests before the Commission which had been submitted before the transfer. The subject amendment request was noticed in the *Federal Register* on August 22, 2001 (66 FR 44165).

Contacts: Patrick Milano, NRR, 415-1457
Daniel Collins, NRR, 415-1427
Samuel Collins, Director, NRR, 415-1270

On March 18, 2002, Riverkeeper, Inc., filed a Petition for Leave to Intervene and Request for

Hearing, which it subsequently amended on April 30, 2002. Riverkeeper's petition claimed that the then-recent disclosure in the press of discovery of rusted areas in the reactor containment provides justification both for the late filing of its petition and for a hearing. The Atomic Safety and Licensing Board issued an Order dated July 17, 2002, setting a date for the prehearing conference and schedule for amending petition and filing contentions. Pursuant to the Order, the Petitioners have until 5:00 p.m., August 12, 2002, to file an amended petition. Responses from the other parties are then due by 5:00 p.m., August 22, 2002. A prehearing conference is scheduled for August 27, 2002, in White Plains, New York.

The State of New York will be notified.

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Date Amendment Issued: August 5, 2002
Date Received by Licensee: August 5, 2002

¹ Do not declare as an *Official Agency Record*, or notify the Document Management Branch and the PDR until after the amendment has been received by the licensee.

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**see previous concurrences

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*concurrence via e-mail

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