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Vice President, Operations

March 11, 2003
NL-03-041

U.S. Nuclear Regulatory Commission
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Subject: Indian Point 3 Nuclear Power Plant
Docket No. 50-286
License No. DPR-64
**Additional Information on 10 CFR 50.12 Exemption
Request for Post Accident Containment Ventilation System**

- References:
1. Entergy Letter, "10 CFR 50.12 Exemption Request for Post Accident Containment Ventilation System," dated October 3, 2002 (IPN-02-080).
 2. Entergy Letter, "Additional Information on 10 CFR 50.12 Exemption Request for Post Accident Containment Ventilation System," dated January 16, 2003 (NL-03-014).

Dear Sir:

The purpose of this letter is to supplement a request for exemption from the requirements of 10 CFR 50.44(f) for the Indian Point 3 Nuclear Power Plant (References 1 and 2). In a telephone call on March 5, 2003 the NRC staff requested supplemental information regarding the need for the exemption. The proposed exemption is needed to allow retirement of the Post Accident Containment Ventilation (PACV) System. Retirement of the PACV System, currently planned for the outage beginning March 28, 2003, will provide a number of benefits. The activities to place the PACV System in retirement will not be extensive (capping of pipes and removing or retiring in place system components) and will have no discernable environmental impact. Also, restoration of the PACV System would be required by the corrective action provisions of 10 CFR 50 Appendix B. Granting of the exemption would make this unnecessary and will recognize the proposed rulemaking on combustible gas control, published in the Federal Register on August 2, 2002 (67FR149, pages 50374-50383) that would eliminate the need for the system, if approved. Restoration (e.g., addition of valve operators for remote operation without high doses, instrumentation upgrades to replace outmoded and unavailable instruments) and maintenance (i.e., maintenance, testing and charcoal replacement would involve a substantial expenditure) of the system would be expensive and is unwarranted given the rulemaking. The PACV System would be placed in an inherently safer state by retirement (e.g., the system has containment penetrations with containment isolation valves that must be verified as closed and retirement with capped pipes would be inherently more reliable). Additionally, removal of the PACV System would simplify the Severe Accident Management Guidelines. The alternative action is

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to deny the exemption request. The denial would require restoration of the PACV System to reflect our current licensing basis. This would not be a cost effective action when rulemaking would allow removal of the system within several years. The cost to retire the PACV System is in the order of \$38,000, roughly an order of magnitude less than the cost to restore it. The alternative would have no discernable environmental impact.

There are no new commitments made by ENO in this submittal. If you have any questions regarding this submittal, please contact Mr. K. Kingsley at (914) 734-5581.

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

Very truly yours,



Fred R. Dacimo
Vice President, Operations
Indian Point Energy Center

Executed on 3-11-03
(Date)

cc: Regional Administrator
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