



Entergy Nuclear Northeast  
Indian Point Energy Center  
450 Broadway, GSB  
P.O. Box 249  
Buchanan, NY 10511-0249  
Tel 914 734 6700

Fred Dacimo  
Site Vice President  
Administration

May 13, 2004

Indian Point Unit No. 2  
Docket No. 50-247  
NL-04-054

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

SUBJECT: Report of a Modification to Indian Point's State Pollutant  
Discharge Elimination System Permit

Dear Sir:

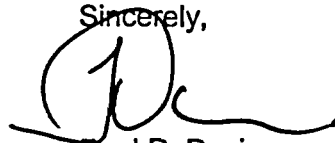
Entergy Nuclear Operations, Inc. (Entergy) hereby reports a modification to the Indian Point Unit 2 State Pollutant Discharge Elimination System (SPDES) permit. Indian Point Environmental Technical Specifications require, in part, that changes and additions to the SPDES permit shall be reported within 30 days. The New York State Department of Environmental Conservation (NYSDEC) modified the Indian Point Unit 2 SPDES permit, in accordance with the provisions of the Uniform Procedures Act (6 NYCRR 621.14(a)(4)), to delete "Part II General Conditions" and to incorporate the requirements of 6 NYCRR 750-2. The modification, due to an amendment of the existing regulation governing the administration of SPDES permits, incorporates an additional set of conditional requirements to the SPDES permit for the Indian Point Simulator Transformer Vault and requires no physical modifications. The modification to the permit, transmitted by NYSDEC letter dated April 15, 2004, became effective on May 1, 2004.

Enclosed is a copy of the NYSDEC letter that modified the Indian Point SPDES permit. Entergy intends to comply with the permit modification. No regulatory commitments are being made by Entergy in this correspondence.

0001

Should you or your staff have any questions, please contact Mr. Patric W. Conroy, Manager, Licensing, Indian Point Energy Center at (914) 734-6668.

Sincerely,



Fred R. Dacimo  
Site Vice President  
Indian Point Energy Center

Enclosure: NYSDEC Letter dated April 15, 2004 w/attach

cc:

Mr. Hubert J. Miller  
Regional Administrator-Region I  
U.S. Nuclear Regulatory Commission  
475 Allendale Road  
King of Prussia, Pennsylvania 19406-1415

Resident Inspectors' Office  
U.S. Nuclear Regulatory Commission  
Indian Point Unit 3  
P.O. Box 337  
Buchanan, NY 10511-0337

Mr. Patrick D. Milano, Sr. Project Manager  
Project Directorate I  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation  
U.S. Nuclear Regulatory Commission  
Mail Stop O-8-C2  
Washington, D.C. 20555-0001

Mr. Peter Smith, President  
New York State Energy, Research,  
and Development Authority  
Corporate Plaza West  
286 Washington Avenue Extension  
Albany, New York 12203-6399

Mr. Michael K. Webb, Project Manager  
Project Directorate IV  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation  
U.S. Nuclear Regulatory Commission  
Mail Stop O-7-D1  
Washington, D.C. 20555-0001

Mr. Paul Eddy  
NYS Department of Public Service  
3 Empire Plaza  
Albany, NY 12223

Resident Inspectors' Office  
U.S. Nuclear Regulatory Commission  
Indian Point Unit 2  
P.O. Box 59  
Buchanan, NY 10511-0059

**New York State Department of Environmental Conservation**  
**Division of Environmental Permits, 4<sup>th</sup> Floor**  
625 Broadway, Albany, New York 12233-1750  
Phone: (518) 402-9167 • FAX: (518) 402-9168  
Website: [www.dec.state.ny.us](http://www.dec.state.ny.us)



April 15, 2004

**ENTERGY NUCLEAR INDIAN POINT 2, LLC**  
**FRED DACIMO**  
295 BROADWAY, SUITE 1  
BUCHANAN, NY 10511

Re: Department Initiated Permit Modification  
DEC ID: 355220013000001  
SPDES Number: NY 0250414

Dear Permittee:

The purpose of this correspondence is to notify you of a Department initiated modification to the above-referenced State Pollutant Discharge Elimination System (SPDES) permit. This modification is undertaken in accordance with the provisions of the Uniform Procedures Act [6 NYCRR 621.14(a)(4)] and is due to the amendment of the existing regulation governing the administration of SPDES permits (6 NYCRR 750). The amendments incorporate provisions of the 'Part II General Conditions' supplement that serves as an additional set of conditional requirements to your SPDES permit. These amendments may be found in the enclosed copy of 6 NYCRR 750 in Section 750-2, entitled 'Operating in Accordance with a SPDES Permit.' You may also access this regulation from the internet on the Department's website at <http://www.dec.state.ny.us/website/regs/750.htm> for html format or <http://www.dec.state.ny.us/website/dow/part750.pdf> for a two sided format suitable for binding and copying.

The amendment of 6 NYCRR 750 duplicates many of the provisions of the 'Part II General Conditions' supplement, and includes some revisions and additions to those conditions. The following is a general list of locations within section of 6 NYCRR 750-2 that contain new and significant information pertaining to your permit.

750-2.1 General Provisions of a SPDES Permit

(b), (f), and (k)

750-2.3 Inspection and Entry

(f)

750-2.4 Operator and Permittee Liability

750-2.5 Routine Monitoring, Recording, and Reporting

(a)- (2)-(iii) and (v); (4); (5)

(b)- (1); (2); (3)

(c)- (1); (2)-(vii)

(d)- (1)-(i) and (ii); (2); (3)-(iv)

750-2.6 Special Reporting Requirements for Dischargers that are not POTWs

750-2.7 Incident Reporting

750-2.8 Disposal System Operation and Quality Control

(a)- (1); (2)-(i); (5); (6)

(c)- (2)

(d)

(e)

(f)

750-2.9 Additional Conditions Applicable to Publicly Owned Treatment Works

(a)- (2); (4)

(b)- (1); (2); (3); (4); (5); (6); (7)

(c)

750-2.10 Special Provisions- New or Modified Disposal Systems or Service Areas

(a); (b); (d); (e); (f); (g); (h); (i)

750-2.11 Closure Requirements for Disposal Systems

Also, please note that the telephone number designated by the Regional Water Engineer to receive after business hours reports (as set forth in 6 NYCRR 750-1.2(a)(73) is now (518)-457-7362.

The Department initiated modification to your permit deletes the 'Part II General Conditions' and all references to them from your permit, and further amends the permit requiring you to comply with 6 NYCRR 750-2. The specific language of the modification is contained in the attached modification page that is to be appended to your existing permit.

The Department's Uniform Procedures Act affords permittees the right to comment on Department initiated permit changes [6 NYCRR 621.14(d)]. After reviewing the content of 6 NYCRR 750-2 and its effect on your SPDES permit, should you have any objections to the permit modification, you may submit a written statement to the Department giving reasons why the permit should not be modified, request a hearing, or both. Any statement or request for hearing must be made within 15 calendar days of the mailing of this letter. Failure to submit a timely request or statement will result in the modification of your permit, becoming effective May 01, 2004.

If you have any questions on this action, please contact Andrea Sheeran at the above address, or by telephone at (518) 402-9179.

Sincerely,



William R. Adriance  
Chief Permit Administrator

cc: RPA  
RWE  
BWP  
file

New York State Department of Environmental Conservation  
Division of Environmental Permits, 4<sup>th</sup> Floor  
625 Broadway, Albany, New York 12233-1750  
Phone: (518) 402-9167 • FAX: (518) 402-9168  
Website: [www.dec.state.ny.us](http://www.dec.state.ny.us)



**STATEMENT OF STATE POLLUTANT DISCHARGE ELIMINATION**  
**SYSTEM (SPDES) PERMIT MODIFICATION**  
**TO BE KEPT WITH SPDES PERMIT NUMBER NY 0250414.**  
**INDIAN POINT SIMULATOR TRANSFORMER VAULT**  
**DEC ID 355220013000001**  
**EFFECTIVE DATE MAY 01, 2004**

Per Department of Environmental Conservation amendment to the regulations governing the administration of the State Pollutant Discharge Elimination System Permit, this permit is hereby modified to mandate compliance with New York State Environmental Conservation Law, 6 NYCRR Part 750 entitled State Pollutant Discharge Elimination System (SPDES) Permits.

This Department initiated modification to your permit deletes the former 'Part II General Conditions' requirements and all references to them from your permit, and further amends the permit requiring you to comply with 6 NYCRR 750-2, entitled Operating in Accordance with a SPDES Permit.

---