

From: "Axelson, William L" <WAxelso@entergy.com>
To: "Timothy Rice" <tbrice@gw.dec.state.ny.us>
Date: 12/13/05 3:52PM
Subject: RE: AGREEM~2.DOC

Good comments---send me your comments-we are not looking for any signatures but just general agreement in principle and process

Ty-bill

From: Timothy Rice [mailto:tbrice@gw.dec.state.ny.us]
Sent: Tuesday, December 13, 2005 3:33 PM
To: Axelson, William L
Subject: Re: AGREEM~2.DOC

Bill,

This may be a lot more complicated than it needs to be.

I understand your wanting acceptance of sampling and communication protocols by all of the parties involved.

I agree that having some form of basic understanding on this would help to eliminate misunderstandings between us, allow Entergy to make more efficient use of its staff time and resources, ensure industrial health and safety needs are met, and minimize the potential for misinterpretation of data by outside parties.

However, if you are looking for "The State" to commit to an agreement regarding sampling protocols, communications, etc., it could take months, and may never actually happen. Agreement by "The State" would likely require the concurrence of all of the various State agencies involved with Indian Point, including approval by each of our legal staff, and may have to go above that to the Governors office.

Also, I doubt we could agree to officially sign off on an internal Entergy document.

I expect we can work this out so that DEC and DOH (and NRC) can agree to sampling and communication guidelines. Let me discuss some possible options here on how we can get around this issue and I will get back to you.

In the meantime I am reading through it and making some suggested changes. I will touch base with the DOH and NRC at some point soon as well.

A/47

Thanks,

Tim

>>> "Axelson, William L" <WAxelso@entergy.com> 12/12/05 5:31:19 PM >>>

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Gentlerran

Pls. look over this draft memo detailing an agreement on how we will coordinate split samples between our respective groups going forward--This will be an Entergy internal memo for my use. Pls give me a call at 845 4014248 with your comments and/or revision

Ty-bill

CC: "jrw1@nrc.gov" <jrw1@nrc.gov>

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From: "Axelson, William L" <WAxelso@entergy.com>
To: "jrwl@nrc.gov" <jrwl@nrc.gov>
Date: 12/12/05 6:09PM
Subject: FW: AGREEM~2.DOC

John-pls look at this, I also sent a copy to Noggle-this will simply be a tool for me on how to deal with split sampling requests going forward

From: Axelson, William L
Sent: Monday, December 12, 2005 5:31 PM
To: 'Timothy Rice'; 'jdn@nrc.gov'
Cc: Mayer, Don; Jones, T. R.; Leach, Don; Gray, Dara
Subject: AGREEM~2.DOC

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Ty-bill

December 12, 2005

TO: Tim Rice
State of New York

John White
USNRC

FROM: William Axelson
Indian Point Energy Center

SUBJECT: Communication Agreement for Split Sample Survey Process

Please find attached a Draft Communication Plan between IPEC, the State of New York, and the Nuclear Regulatory Commission on a proposed sampling agreement for tritium monitoring at Indian Point Station.

This communication agreement is designed to establish a mutually agreed frame work to conduct split sample data collection between the State of New York, the NRC, and IPEC.

Please read this draft and make comments or revisions. We desire to publish this by December 23, 2005.

The final publication will be an Entergy internal communications memorandum which we can, if needed, share with stakeholders.

I can be reached by e-mail at: waxelson@entergy.com or by phone at 914-401-4248.

Thank you for your attention in this matter.

cc:

T.R. Jones-IPEC Licensing
D. Mayer- IPEC SpecialProjects

DRAFT DOCUMENT

Communication Agreement of Sampling Process Between the State of New York, NRC, and Indian Point Station, Buchanan, New York

Background Information:

In August 2005 two small hairline horizontal cracks were discovered on the Unit 2 Spent Fuel Pool 4' thick concrete wall at elevations 61' and 64'. Radiological surveys of these two areas in Fall 2005 indicated radioactive material from the Unit-2 Spent Fuel Pool had seeped out of the concrete wall surface at this location, at an initial observed leakage rate of approximately 2000 mls per day.

This area of the Spent Fuel Pool was not previously exposed, or visible for inspection and/or monitoring because the leak area was approximately 30' below grade since power operations began.

The leak was first exposed in August 2005 during a soil excavation process that dug a large excavation hole 30' deep immediately adjacent to the Unit 2 Spent Fuel Pool south concrete wall. This excavation hole was dug for the purpose of building a concrete support wall structure to support a new gantry crane assembly that will be used in the future to remove spent fuel out of the Spent Fuel Pool for dry cask storage.

This fuel pool leakage has been collected and radiologically monitored from August 2005 until present (December 2005). Concurrent to the radioactive water collection, the Spent Fuel Pool has been structurally evaluated for integrity. This evaluation has included engineering evaluations and direct observation of underwater surfaces by cameras and underwater diver inspections. This evaluation has indicated the 4' thick steel reinforced concrete Spent Fuel Pool, with its ½" thick steel inner liner is structurally sound and in compliance with its structural design basis.

During the last 4 months the leak rate has steadily decreased from an observed high of 2000 mls per day to a current measured leak rate of approximately 5-10 mls/day. While no final conclusion have been drawn from why the leak rate has decreased, ongoing evaluations are looking at SFP water/concrete temperature affects, SFP water level affects, leak collection system condensation variability, and boron re-sealing (boron scabbing) over the small hairline leak cracks.

During the radiological evaluation of the leak, a plant monitoring well labeled MW-111, which is located approximately 260' downhill, and to the west of the leak location, showed tritium levels of approximately 200,000-300,000 pCi/l of radioactive tritium. No other plant radionuclides were detected other than tritium in this monitoring well, including radioactive cesium, cobalt, or strontium.

The tritium level in this monitoring well (MW-111) is approximately 10-15 times higher than the 20,000 pCi/l EPA limit for tritium in drinking water. Other monitoring wells on site showed low levels of tritium also present, but well below the drinking water limit.

Since November 2005 a series of 9 extra monitoring wells, labeled as Phase 1 wells, are being installed by a plant contracted professional hydrologist vendor group (GZA) to evaluate ground water flow characteristics and contaminant measurements across the IPEC site. This evaluation, when completed in a phased approach, will consider other possible tritium contributors such as plant water collection tanks, plant sumps, and other Unit specific sources for possible contribution to the observed tritium activity

As of December 11, 2005, two new Phase 1 monitoring wells, labeled MW-30 and MW-38 have been installed and water samples taken at these locations.

Monitoring well MW-30, was drilled in November 2005 directly under the leakage area to a depth of -10' below sea level. The initial tests on this monitoring well have indicated tritium levels of approximately 400,000-600,000 pCi/l (20-30 times above EPA drinking water limits). No other radionuclides with the exception of tritium have been detected in this location.

A second monitoring well, MW-38, came into service on December 2, 2005. This well is at the southern end of the IPEC site approximately 1000' to the south of the leak in the Unit 2 Spent Fuel pool. The location for monitoring well MW-38 was chosen based on hydrology models that indicate water flow is from north to south across the Indian Point site. This well was sited at this location to characterize, or bound, the southern end of potential tritium migration. Water samples in this well during December 2005 have indicated no tritium or other plant nuclides present.

Concurrent with these two new on-site monitoring wells, 4 offsite water sample points were sampled on November 2005 by a split sample exercise between the NRC, State of New York, and IPEC at locations labeled: Gypsum Plant, Algonquin Creek, Trap Rock Quarry, and 5th Street Well. These sample points are located outside the south boundary of IPEC property, ranging in distance from 0.3-1.3 miles from the plant elevated effluent stack.

During December 2005 additional split water samples between the State of New York, Nuclear Regulatory Agency, and IPEC were taken at the Lefarge Gypsum plant and additional onsite sample well locations.

Samples of this water from these locations have been sent by the NRC, State of New York, and IPEC to independent counting laboratories. Final results for all requested radionuclides are expected to take approximately 30 days for completion (early January 2006).

During December 2005 additional split samples are scheduled between the State of New York, NRC, and IPEC at other potential water collection locations.

2.

At this early phase of the investigation frequent communication with interested stakeholders, including regulatory agencies, local municipalities, and the public are ongoing, and will continue through the evaluation process.

Split Samples with State/NRC/IPEC

<u>Date</u>	<u>Areas Sampled</u>	<u>Type Sample</u>
10/21/05	IPEC-MW-111 IPEC-U2 CST IPEC-U3-1 IPEC-U3-2 IPEC-U3-3 IPEC-U3-4 IPEC-U3-T1 IPEC-U3-T2	Well sample Well sample Well sample Well sample Well sample Well sample Well sample Well sample
11/22/05	Lefarge Gypsum Plant outfall Algonquin Stream Trap Rock Quarry 5 th Street Well	Grab sample from outfall stream Grab sample from stream Grab sample from quarry pond Well sample from backyard well
12/06/05	Lefarge Gypsum Plant Lefarge Gypsum Plant Lefarge Gypsum Plant	Well sample from Well # 1 Well sample from Well # 3 Well # 2 sampling pump inoperative
12/08/05	IPEC well # MW-38 IPEC well # MW-107 IPEC well # MW-101 IPEC well # MW-105	Well sample from MW-38 Well sample from MW-107 Well sample from MW-101 Well sample from MW-105

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DRAFT DOCUMENT

Communication Agreement of Sampling Process Between the State of New York, NRC, and Indian Point Station, Buchanan, New York

Purpose:

The purpose of this communication agreement between Indian Point Station and the State of New York, and the Nuclear Regulatory Agency is to have a mutually agreed communication process, sample coordination plan, consistent points of contact, and effective employee resourcing efforts, and conflict resolution tools, to conduct effective water sampling of Indian Point Station, and surrounding community sample points.

Goal:

This communication agreement is designed to establish a mutually agreed upon framework to conduct split sample data collection between the State, NRC, and IPEC organizations.

Effective communication processes between the State of New York, the Nuclear Regulatory Agency, and Indian Point Station (IPEC) will improve industrial safety preparations including manpower scheduling and briefing processes, minimize plant operation impacts, reduce scheduling and sampling delays, provide effective conflict resolution tools, provide increased credibility with external stakeholders, and insure each agencies goals and resources are understood and supported.

Chain of Command and Points of Contact

IPEC station will coordinate all State of New York and NRC sampling requests in a timely process. To accomplish multi-agency sampling coordination, a Sample Request Flow Chart (Attachment 1) is enclosed.

Industrial Safety Operating Experience (O.E.) Understanding:

The intention of this sampling activity is to protect the public and individuals from harm. The on-site tritium radioactivity found to date, and expectation of public risk using historical industry experience for this sampling activity, is suggestive of projected low public risk. Thus an appropriate industrial safety hazard analysis shall always be applied.

It should be understood by all parties that significant injuries can occur during inclement weather, perceived time or scheduling pressures, trips, falls, darkness, slippery field locations, cold weather injuries, driving and walking injuries, and other hazards are present at the work site locations.

4.

For industrial safety perspective, at one facility a motor vehicle death occurred to a young

contract truck driver returning to the plant from a town land fill with low level activity sea shells (0.04 pCi/gm C0-60) removed as a result of a plant intake screen cleaning process.

Sampling Techniques:

IPEC will employ station personnel or contractor vendors using site approved sampling equipment provide by IPEC for water sample acquisition for on-site and offsite sample locations. This includes pumps, bailers, hoses, meters, collection bottles, survey point access, chain of custody forms, etc.

If the State or NRC chooses to sample an off-site location, IPEC requests the option of acquiring a sample at that location at the same time (sample split), to have consistency of data collection.

Scheduling of Sampling:

IPEC will be responsible to fulfill State and NRC requests for timely sample acquisition. However it is understood by both IPEC and the State and NRC that levels of radionuclide activity now detected should not require emergency or heroic efforts from a public safety perspective, that in itself, could be an impact to industrial safety or plant safety activities. Accordingly advanced notice to IPEC should be considered so all parties can optimize personnel resources and equipment.

Laboratory Counting:

IPEC will specify to the State what isotopes it (IPEC) is measuring to insure the State and NRC has this knowledge before each agency commits to other laboratory isotopic analysis. This is important because delays or conflicts in specifying what isotopes are being analyzed by each agency can add up to a month of laboratory counting time if a re-submittal to a lab has to be made. IPEC recognizes other parties may choose to sample for other perceived hazards or contaminates.

IPEC will count its samples as much as practical to the same radio-nuclides as that used by the State and NRC to insure consistency of data collection. As a baseline reasurement, IPEC will count each split water sample for tritium, strontium-90, and gamma emitting isotopes as previously communicated the State and NRC.

Industry experience has shown early confusion, with lasting public distrust, can arise if any agency counts different radionuclides, or has substantial different minimal detection standards (MDA's), than each others perspective independent laboratory.

Likewise any discussion of results with the public can be affected by "false" positives when dealing with low environmental levels of activity. False positives can create the need, or perception, for expensive emergency re-counts, industrial safety impacts, and public anxiety.

Thus it is agreed that IPEC, the State, and NRC will share its data with the respective organizations point of contact for its initial evaluation and comparison of results to mitigate "false positives" or other laboratory uncertainties or abnormalities.

Split Samples:

It is understood the States and NRC need to perform independent sampling protocols to insure unbiased results. However, there may be times that the State representative, or NRC representative, is not able to be present at a particular survey point.

It is understood or agreed the State may use, if desired the NRC or a State approved alternate to perform its intended sampling as an "independent witness".

It is IPEC's intention to accompany and perform split samples with the State and NRC on all onsite and offsite sample locations where practical. However there may be opportunities, or political constraints, when IPEC personnel are not allowed access to take samples that the State or NRC performs (i.e. individual industrial site, citizen group resistance, or home owner denial of IPEC access or involvement).

In these cases IPEC desires that the State and/or NRC provide IPEC a split representative sample of the sample point for its analysis. The need of this request is to insure no "false positives" are present because of laboratory inconsistencies or MDA variability.

Public Communications:

It is IPEC's request that the official State and NRC communication representatives share information with IPEC in a timely and effective manner to insure the IPEC employee organization and public needs are correctly represented for timely and accurate information exchange.

Other Considerations:

This basis of this Draft Communication "strawman" is to begin this exercise in a safe, effective, and coordinated manner.

By receipt of this "strawman" it is requested the State and NRC examine its needs and requirements, and add to this communication agreement as appropriate for acceptance signature.

It is IPEC's intention because of Industrial Safety considerations for his staff and sampling personnel, to have this Communication Document Draft Agreement finalized the State, NRC, and IPEC by December 23, 2005.

Please direct all comments or revisions to William Axelson, IPEC Radiological Engineering Department (e-mail: waxelson@energy.com) or plant # 914-736-8417, or cell # 845-401-4248

6.

Signature Page

IPEC Representative:

William Axelson _____
Title: _____
Date: _____

State of New York Representative:

Tim Rice: _____
Title: _____
Date: _____

Nuclear Regulatory Representative:

John White: _____
Title: _____
Date: _____

7.

Attachment 1: Sample Request Protocol:

Requesting Agency Contacts the Following IPEC Personnel for sample request:

	<u>Name</u>	<u>Group</u>	<u>Commo Link</u>
<u>Primary:</u>	William Axelson:	IPEC	E-mail: waxelson@ entergy.com
			Work #: 914-736-8417 Cell #: 845-401-4248
<u>Back Up:</u>	Dara Gray	IPEC	E-mail: dgray@entergy.com
			Work # 914-736-8414 Cell: No cell phone

IPEC representative contacted above calls and coordinates sample request info with:

State of New York Contact Person:

	<u>Name:</u>	<u>Group:</u>	<u>Commo Link:</u>
<u>Primary:</u>	_____	NY State	E-mail: _____
	_____		Work #: _____ Cell #: _____
<u>Back up:</u>	_____	NY State	E-mail: _____
	_____		Work #: _____ Cell #: _____

NRC Contact Person List:

	<u>Name:</u>	<u>Group</u>	<u>Commo Link</u>
<u>Primary:</u>	<u>Greg Bowan</u>	NRC	E-mail: _____
	_____		Work # _____ Cell #: _____

Back Up _____

NRC

E-mail:

Work #: _____

Cell #: _____

8.