



Entergy Nuclear Operations, Inc
440 Hamilton Avenue
White Plains, NY 10601

Tel 914 272 3370

John McCann
Director
Nuclear Safety and Licensing

April 13, 2007

Re: Indian Point Units 2 and 3
Dockets 50-247 and 50-286
NL-07-049

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

**SUBJECT: NRC Order EA-05-190; Indian Point Emergency Notification System
Relaxation Request Regarding Implementation Date (TAC MD2400/2401)**

- REFERENCES:
1. NRC letter to Entergy regarding Confirmatory Order EA-05-190 for the Indian Point Emergency Notification System, dated January 31, 2006.
 2. NRC letter to Entergy regarding Relaxation of Implementation Date for NRC Confirmatory Order, dated January 23, 2007.
 3. Department of Homeland Security letter to NYSEMO regarding design report approval, dated March 22, 2007.
 4. NRC letter to Entergy regarding Acceptance of Test Plan for Indian Point Emergency Notification System, dated September 26, 2006.
 5. Entergy letter (NL-06-108) to NRC; "Corrective Actions for Indian Point Public Alert Notification System", dated October 18, 2006.

Dear Sir or Madam:

Entergy Nuclear Operations, Inc (Entergy) hereby requests NRC approval of a relaxation request regarding the implementation date established in Section IV.II of the Reference 1 Confirmatory Order, as modified by Reference 2, regarding backup power for the Indian Point Energy Center emergency notification system. This request is made pursuant to Section IV.V of the Order and as a result of preoperational testing conducted on April 12, 2007. During the final phases of this preoperational acceptance testing, one test configuration yielded unexpected results that did not meet our test acceptance criteria. Based on these test results, it is not feasible for Entergy to complete an evaluation for the test failure and implement any required corrective actions, with sufficient confidence for future reliability, in time to declare the new system operable by April 15, 2007 as required by the Order.

AX45

Therefore Entergy is requesting relaxation of the schedule specified in the Order.

Section IV.II of the Order, as modified by Reference 2, states:

“The Licensee shall implement II.A, II.B, and II.C.1-3 by April 15, 2007. The backup power system for the ENS shall be declared operable by April 15, 2007. The backup power supply for the ENS shall include, as a minimum: ...”

Entergy requests that Section IV.II be revised to read:

“The Licensee shall implement II.A, II.B, and II.C.1-3 by August 31, 2007. The backup power system for the ENS shall be declared operable by August 31, 2007. The backup power supply for the ENS shall include, as a minimum: ...”

The requested relaxation will allow time for Entergy to conduct the following activities:

- Determine the cause of the performance failure during the siren test conducted on April 12, 2007. This may entail additional siren tests to collect data.
- Develop an action plan and schedule based on the results of the above performance failure determination. Entergy commits to have this completed no later than May 14, 2007 and will be available to meet with NRC to discuss the corrective actions being taken and the proposed plan and schedule to meet the requirements of the order.
- Implement corrective actions in the field to correct conditions identified in the performance failure determination.
- Evaluate information recently provided by the Department of Homeland Security (DHS) regarding siren volume levels at certain locations and concerns raised by other stakeholders. This evaluation and any resulting corrective actions will be part of the action plan described above.
- Reassess the test acceptance criteria used to meet the operability requirement for the system and perform a period of testing to build stakeholder confidence in the ability and reliability of the new siren system such that it is available for emergency plan use when Entergy declares the new system operable.

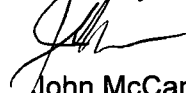
Entergy has made substantial progress in implementing the requirements of the Order. Entergy has completed installation of the siren system and the DHS has provided approval (Reference 3) of the siren system design report. Entergy has completed the majority of system testing including testing of the design capability and performance of the backup power system components in accordance with the NRC approved test plan (Reference 4). Overall testing of the integrated system demonstrates a high degree of performance (> 97%) for system activation and feedback monitoring. However, as indicated above, one test configuration (radio only activation) did not meet the test acceptance criteria.

During the time period of this extension, Entergy will continue to maintain and test the existing siren system, including implementation of the enhancements committed to by Entergy in Reference 5. In addition, the existing siren system is now augmented by a high-speed

telephone-based notification system (reverse 911) and the Joint Information Center internet website (<http://jic.semo.ny.state.us>) accessible to the public during routine and emergency conditions, as described at the public meeting of October 6, 2006. Based on these alert notification capabilities, Entergy is confident that the ability to alert the public in the event of an emergency is assured.

A new commitment made by Entergy regarding an action plan and schedule is as stated in this letter. If you have any questions or require additional information, please contact me or Mr. T. R. Jones, Acting Manager, IPEC Licensing at 914-734-6670

Sincerely,



John McCann
Director, Nuclear Safety and Licensing
Entergy Nuclear Operations, Inc

cc:

Mr. James E. Dyer, Director, Office of Nuclear Reactor Regulation
Mr. John P. Boska, Senior Project Manager, NRC NRR DORL
Mr. Samuel J. Collins, Regional Administrator, NRC Region I
NRC Resident Inspector's Office, Indian Point 2
NRC Resident Inspector's Office, Indian Point 3
Mr. Peter R. Smith, NYSERDA
Mr. Paul Eddy, NYS Department of Public Service
Mr. John Gibb, Director NYS Emergency Management Office
Mr. Anthony W. Sutton, Commissioner Department of Emergency Services (Westchester County)
Mr. Daniel Greeley, Deputy Director Department of Fire and Emergency Services (Rockland County)
Mr. Adam Stiebeling, Deputy Commissioner Bureau of Emergency Services (Putnam County)
Mr. Dominick Greene, Department of Emergency Services (Orange County)