~~**SAFEGUARDS INFORMATION**~~

October 23, 2007

Enclosure Contains Safeguards Information.
When Separated from enclosure, this document is not Safeguards Information.

Mr. Fred Dacimo
Site Vice President
Entergy Nuclear Operations, Inc.
Indian Point Energy Center
450 Broadway, GSB
P.O. Box 249
Buchanan, NY 10511-0249

SUBJECT: INDIAN POINT ENERGY CENTER - NRC PHYSICAL SECURITY BASELINE INSPECTION REPORT NOS. 05000247/2007402 AND 05000286/2007402

Dear Mr. Dacimo:

On September 14, 2007, the U.S. Nuclear Regulatory Commission (NRC) completed a security baseline inspection at your Indian Point Energy Center. The inspection covered one or more of the key attributes of the security cornerstone of the NRC's Reactor Oversight Process. The enclosed inspection report documents the inspection results, which were discussed on September 14, 2007, with Pat Conroy, Director of Nuclear Safety Assurance and other members of your staff.

The inspection examined activities conducted under your licenses as they relate to security and compliance with the Commission's rules and regulations and with the conditions of your licenses. The inspectors reviewed selected procedures and records, observed activities, and interviewed personnel.

Warning: Violation of section 147 of the Atomic Energy Act, "Safeguards Information" is subject to civil and criminal penalties	**SAFEGUARDS INFORMATION DETERMINATION MADE BY:** **NAME/TITLE: James M. Trapp, Chief** **ORGANIZATION: RI/DRS/PSB1** **BASIS - DG-SG-1 (300) Physical Protection Program** **SIGNATURE___/RA/_____ DATE: 10/23/07**

This report documents one finding of very low security significance (i.e., Green as determined by the Physical Protection Significance Determination Process). The deficiency was promptly corrected and the plant was in compliance with applicable physical protection and security requirements within the scope of this inspection before the inspectors left the site. The finding had a cross-cutting aspect in the in the area of human performance because a security officer was not fit for duty (was inattentive). However, because of the very low safety significance and because it is entered into your corrective action program, the NRC is treating this violation as a non-cited violation (NCV) consistent with Section VI.A.1 of the NRC Enforcement Policy. If you contest this non-cited violation, you should provide a response within 30 days of the date of this inspection report, with the basis for your denial, to the Nuclear Regulatory Commission, ATTN.: Document Control Desk, Washington DC 20555-0001; with copies to the Regional Administrator, Region I; the Director of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001; and the NRC Resident Inspector at the Indian Point Energy Center (IPEC).

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system, ADAMS. ADAMS is accessible from the NRC Website at http://www.nrc.gov/reading-rm/adams.html (the Public Electronic Reading Room). However, because of the security-related concerns contained in the enclosure, and in accordance with 10 CFR 2.390, a copy of this letter's enclosure will not be available for public inspection.

In accordance with 10 CFR 2.390(b)(1)(ii), the NRC is waiving the affidavit requirements for your response, if any. This practice will ensure that your response will not be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system, ADAMS. If Safeguards Information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21. Otherwise, mark your entire response "Security-Related Information-Withhold Under 10 CFR 2.390" and follow the instructions for withholding in 10 CFR 2.390(b)(1).

Sincerely,

/RA/
James M. Trapp, Chief
Plant Support Branch 1
Division of Reactor Safety

Docket Nos. 50-247, 50-286
License Nos. DPR-26, DPR-64

Enclosure: NRC Inspection Report Nos. 05000247/2007402 and 05000286/2007402
w/Attachment: Supplemental Information
(CONTAINS SAFEGUARDS INFORMATION (SGI)

This report documents one finding of very low security significance (i.e., Green as determined by the Physical Protection Significance Determination Process). The deficiency was promptly corrected and the plant was in compliance with applicable physical protection and security requirements within the scope of this inspection before the inspectors left the site. The finding had a cross-cutting aspect in the in the area of human performance because a security officer was not fit for duty (was inattentive). However, because of the very low safety significance and because it is entered into your corrective action program, the NRC is treating this violation as a non-cited violation (NCV) consistent with Section VI.A.1 of the NRC Enforcement Policy. If you contest this non-cited violation, you should provide a response within 30 days of the date of this inspection report, with the basis for your denial, to the Nuclear Regulatory Commission, ATTN.: Document Control Desk, Washington DC 20555-0001; with copies to the Regional Administrator, Region I; the Director of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001; and the NRC Resident Inspector at the Indian Point Energy Center (IPEC).

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Sincerely,

/RA/
James M. Trapp, Chief
Plant Support Branch 1
Division of Reactor Safety

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NAME	ADimitriadis/AXD		GeoSmith/GES		WSchmidt/WLS		ECobey/EWC		JTrapp/JMT	
DATE	10/15/07		10/16/07		10/16/07		10/18/07		10/23/07	

OFFICIAL RECORD COPY

* See Previous Concurrence Page

cc w/encl; w/SGI
D. Gagnon, Acting Site Security Manager, Indian Point Energy Center
P. Tonko, President and CEO, New York State Energy Research and Development Authority
F. Tabert, Assistant Director, NY State Department of Homeland Security
M. Balboni, Deputy Secretary for Public Safety

cc w/o encl; w/o SGI:
J. Wayne Leonard, Chairman and CEO, Entergy Nuclear Operations, Inc.
G. J. Taylor, Chief Executive Officer, Entergy Operations
M. Kansler, President, Entergy Nuclear Operations, Inc.
J. T. Herron, Senior Vice President for Operations
M. Balduzzi, Senior Vice President and COO, Northeastern Regional Operations
Senior Vice President of Engineering and Technical Services
J. DeRoy, Vice President, Operations Support (ENO)
A. Vitale, General Manager, Plant Operations
O. Limpias, Vice President, Engineering (ENO)
J. McCann, Director, Nuclear Safety and Licensing (ENO)
E. Harkness, Director of Oversight (ENO)
P. Conroy, Director, Nuclear Safety Assurance
R. Walpol, Manager, Licensing
C. Donaldson, Esquire, Assistant Attorney General, New York Department of Law
D. O'Neill, Mayor, Village of Buchanan
J. G. Testa, Mayor, City of Peekskill
R. Albanese, Four County Coordinator
S. Lousteau, Treasury Department, Entergy Services, Inc.
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Chairman, Standing Committee on Environmental Conservation, NYS Assembly
Chairman, Committee on Corporations, Authorities, and Commissions
M. Slobodien, Director, Emergency Planning
W. Dennis, Assistant General Counsel
P. Smith, President, NYS Energy, Research, and Development Authority
P. Eddy, NYS Department of Public Service
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T. Judson, Central NY Citizens Awareness Network
M. Elie, Citizens Awareness Network
D. Lochbaum, Nuclear Safety Engineer, Union of Concerned Scientists
Public Citizen's Critical Mass Energy Project
M. Mariotte, Nuclear Information & Resources Service
F. Zalcman, Pace Law School, Energy Project
L. Puglisi, Supervisor, Town of Cortlandt

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D. Katz, Executive Director, Citizens Awareness Network
S. Tanzer, The Nuclear Control Institute
K. Coplan, Pace Environmental Litigation Clinic
M. Jacobs, IPSEC
W. DiProfio, PWR SRC Consultant
W. Russell, PWR SRC Consultant
G. Randolph, PWR SRC Consultant
W. Little, Associate Attorney, NYSDEC
M. Greene, Clearwater, Inc.
R. Christman, Manager Training and Development
J. Spath, New York State Energy Research, SLO Designee
A. Kremer, New York Affordable Reliable Electricity Alliance (NY AREA)

Distribution w/o encl; w/o SGI:
S. Collins, RA
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R. Laufer, RI OEDO (Acting)
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Region I Docket Room (w/concurrences)
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