

November 20, 2007

Mr. Michael A. Balduzzi
Sr. Vice President & COO
Regional Operations, NE
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

SUBJECT: INDIAN POINT NUCLEAR GENERATING UNIT NO. 3 – DENIAL OF
EXTENSION REQUEST FOR CORRECTIVE ACTIONS REQUIRED BY
GENERIC LETTER 2004-02 (TAC NO. MC4690)

Dear Mr. Balduzzi:

In a letter dated October 24, 2007, [Agencywide Document Access and Management System (ADAMS) accession number ML073040291] Entergy Nuclear Operations, Inc. (Entergy) requested an extension to the December 31, 2007, completion deadline for the corrective actions required by Generic Letter (GL) 2004-02, "Potential Impact of Debris Blockage on Emergency Recirculation During Design Basis Accidents at Pressurized Water Reactors" for the Indian Point Nuclear Generating Unit No. 3 (IP3). The proposed extension would allow Entergy approximately 14 additional months to complete the modifications and licensing activities necessary to achieve full compliance with GL 2004-02, with completion of this effort to coincide with the completion of the IP3 spring 2009 refueling outage.

The Nuclear Regulatory Commission (NRC) staff has evaluated the information provided in Entergy's letter and has determined that the arguments presented in the letter are not adequate to grant a 14-month extension. The NRC views the scope of the additional modifications required to demonstrate compliance with GL 2004-02 as achievable before the next refueling outage and, therefore, the extension request is denied.

In its letter, Entergy stated that the installation of significantly larger sump strainers and other modifications designed to reduce debris transport to the sumps has been completed. However, the planned modification to change the buffering agent from sodium hydroxide to sodium tetraborate has not been implemented. Further, the letter stated that the planned operating-license amendments to reflect a change to the low-low level set-point of the refueling water storage tank, the change of buffering agent, and the implementation of the exemption from the single failure criterion for large-break loss-of-coolant accidents (LBLOCAs) have not been initiated. Entergy proposed to complete these activities by the close of the IP3 spring 2009 refueling outage, scheduled to begin on March 10, 2009.

The NRC's criteria for granting extensions are contained in SECY-06-0078. The SECY requires that the licensee have a plant-specific technical/experimental plan with milestones and schedules to address outstanding technical issues, and have in place mitigative measures that minimize the risk of degraded emergency core cooling system (ECCS) and containment spray system (CSS) functions during the extension period. The SECY also recommends that for proposed extensions beyond several months, the mitigative measures include temporary physical improvements to the ECCS sump or materials inside containment to better ensure a high level of ECCS sump performance.

After reviewing Entergy's submittal, the NRC staff concludes that Entergy has a plan to complete the remaining corrective actions and has compensatory measures in place. However, NRC finds that Entergy has not made a convincing case why the proposed modifications and other changes cannot be accomplished before the next refueling outage. Further, the importance of completing the corrective actions required to prevent sump strainer clogging was expressed in the "Director's Decision Under 10 CFR 2.206" (ML041700619), which specifically addressed the petition regarding the operability of the Indian Point Nuclear Generating Unit Nos. 2 and 3 sumps. For these reasons, a 14-month extension beyond December 31, 2007, is not acceptable. Therefore, as previously stated, the NRC denies Entergy's request, dated October 24, 2007, for an extension of the GL 2004-02 corrective actions completion date of December 31, 2007. Entergy may submit another extension request for NRC consideration, proposing a shorter extension consistent with the time needed to prepare for and implement remaining corrective actions in an expeditious manner.

Please contact the Indian Point Project Manager, John Boska, at (301) 415-2901 if you have any questions on this issue.

Sincerely,

/RA/

Mark G. Kowal, Chief
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-286

cc: See next page

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