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Fred Dacimo  
Vice President License Renewal

December 12, 2008

Indian Point Nuclear  
Generating Units 2 and 3  
Re: Dockets 50-247 and 50-286  
NL-08-174

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

SUBJECT: **Indian Point Emergency Notification System; Notification of Compliance with NRC Orders EA-05-190, EA-07-189, and Report of Test Results**

- 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 Confirmatory Order EA-07-189 for the Indian Point Emergency Notification System, dated July 30, 2007
  3. Entergy letter NL-08-167 to NRC, "NRC Confirmatory Action Letter 1-08-005; Indian Point Emergency Notification System Tone Alert Radios," dated November 3, 2008
  4. NRC letter to Entergy regarding Confirmatory Action Letter 1-08-005 for the Indian Point Emergency Notification System, dated August 22, 2008
  5. DHS letter to NYSEMO regarding FEMA approval for the new Indian Point Energy Center Alert and Notification System to go into Service, dated August 22, 2008.
  6. Entergy letter NL-08-134 to NRC, "NRC Order EA-05-190; Indian Point Emergency Notification System Notification of In-Service Date (TAC MD2400/2401)," dated August 26, 2008

Dear Sir or Madam:

The purpose of this letter is to inform the U.S. Nuclear Regulatory Commission (NRC) that Entergy Nuclear Operations, Inc. (Entergy) has completed all actions associated with NRC Confirmatory Orders (Order) dated January 31, 2006 (EA-05-190) (Reference 1) and July 30, 2007 (EA-07-189) (Reference 2), and has achieved compliance with these Orders. As previously reported (Reference 3), Entergy has also met the requirements of the August 22, 2008, Confirmatory Action Letter (1-08-005) (Reference 4) regarding Tone Alert Radios. This letter meets the reporting requirements of Sections IV.IV and IV.II.C.5 of Order EA-05-190.

AXYS  
NSIR

Order EA-05-190 required, in part, a backup power system for the Emergency Notification System (ENS) for Indian Point Nuclear Generating Units 2 and 3 and specified the system requirements. Order EA-07-189 supplemented, and confirmed, the requirements of the original Order except as specifically modified.

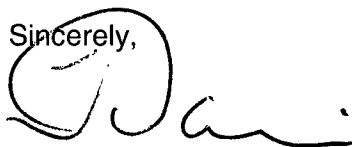
In response to the NRC Orders, Entergy chose to install a new ENS with the required backup power supply capability, while maintaining the existing ENS capable of providing public alert notification. Prior to placing the new ENS system in service, Entergy satisfied all the pre-operational requirements of the Orders, including obtaining Federal Emergency Management Agency (FEMA) approval (Reference 5), and on August 27, 2008, Entergy placed the new ENS in service (Reference 6). Order EA-05-190 Sections IV.II.C.4 and IV.II.C.5 require that after declaring the system operable, periodic ENS testing be performed, and that three such consecutive tests be performed to demonstrate system reliability and to test the operability of all ENS components used during an actual activation. Entergy conducted these tests on September 24, October 22, and November 20, 2008, meeting the requirements of Section IV.II.C.4 to conduct periodic testing and Section IV.II.C.5 that these tests be conducted no sooner than 25 days and no more than 45 days from the previous test. Order EA-05-190 Section IV.II.C.5 requires an overall emergency planning zone (EPZ) success rate of 97% or greater with no individual county failure rate greater than 10%. The measured overall EPZ success rates were 99.4%, 98.3% and 99.4% respectively for the periodic tests conducted, exceeding the minimum requirement of 97%. Likewise, the lowest measured success rate for any county was 95.65% exceeding the minimum requirement of 90%. Table 1 provides a summary of the test results.

No new commitments are being made in this letter. Should you have any questions or require additional information, please contact Mr. R. Walpole, Manager, Licensing at (914) 734-6710.

I declare under the penalty of perjury that the forgoing is true and correct. Executed on

12/12/08.

Sincerely,



Fred R. Dacimo  
Vice President License Renewal  
Indian Point Energy Center

cc: Mr. Eric Leeds, Director, NRC NRR  
Mr. Samuel J. Collins, Regional Administrator, NRC Region I  
Mr. John P. Boska, Senior Project Manager, NRC NRR DORL  
NRC Resident Inspector's Office, Indian Point 2  
NRC Resident Inspector's Office, Indian Point 3  
Mr. Robert Callender, Vice President, NYSERDA  
Mr. Paul Eddy, NYS Department of Public Service  
Ms. Rebecca Thomson, FEMA

**TABLE 1**  
**Summary of Indian Point Emergency Notification System Consecutive Test Results**

<b>September 24, 2008</b>		
EPZ System Success Rate	171/172x100 = 99.4%	Acceptance Criterion
		97% or greater

<b>October 22, 2008</b>		
EPZ System Success Rate	169/172x100 = 98.3%	Acceptance Criterion
		97% or greater

<b>November 20, 2008</b>		
EPZ System Success Rate	171/172x100 = 99.4%	Acceptance Criterion
		97% or greater

<b>September 24, 2008</b>		
Counties	Success Rate	Acceptance Criterion
Orange County	23/23x100 = 100.0%	90% or greater
Putnam County	16/16x100 = 100.0%	
Rockland County	55/56x100 = 98.2%	
Westchester County	77/77x100 = 100.0%	

<b>October 22, 2008</b>		
Counties	Success Rate	Acceptance Criterion
Orange County	22/23x100 = 95.65%	90% or greater
Putnam County	16/16x100 = 100.0%	
Rockland County	55/56x100 = 98.2%	
Westchester County	76/77x100 = 98.7%	

<b>November 20, 2008</b>		
Counties	Success Rate	Acceptance Criterion
Orange County	22/23x100 = 95.65%	90% or greater
Putnam County	16/16x100 = 100.0%	
Rockland County	56/56x100 = 100.0%	
Westchester County	77/77x100 = 100.0%	