

January 14, 2009

Mr. Joseph E. Pollock
Site Vice President
Entergy Nuclear Operations, Inc.
Indian Point Energy Center
450 Broadway, GSB
Buchanan, NY 10511-0249

SUBJECT: INDIAN POINT NUCLEAR GENERATING UNITS 2 AND 3 – NRC EVALUATED
EMERGENCY PREPAREDNESS EXERCISE – INSPECTION REPORT NOS.
05000247/2008502 AND 05000286/2008502

Dear Mr. Pollock:

On December 4, 2008, the U.S. Nuclear Regulatory Commission (NRC) completed an inspection of the December 3, 2008, evaluated emergency preparedness exercise at your Indian Point Energy Center. The enclosed inspection report documents the inspection results, which were discussed on December 4, 2008, with you and other members of your staff.

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

Based on the results of this inspection, no findings of significance were identified.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure and your response (if any) will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Sincerely,

/RA/

James A. Trapp, Chief
Plant Support Branch 1
Division of Reactor Safety

Docket Nos. 50-247, 50-286
License No. DPR-26, DPR-64

Enclosure: NRC Inspection Reports 05000247/2008502 and 05000286/208502

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SUNSI Review Complete: JMT (Reviewer's Initials)

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DATE	01/13/09		01/13/09		01/14/09				

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cc w/encl:

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Vice President, Operations, Entergy Nuclear Operations
Vice President, Oversight, Entergy Nuclear Operations
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R. Albanese, Four County Coordinator
S. Lousteau, Treasury Department, Entergy Services, Inc.
Chairman, Standing Committee on Energy, NYS Assembly
Chairman, Standing Committee on Environmental Conservation, NYS Assembly
Chairman, Committee on Corporations, Authorities, and Commissions
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P. Eddy, NYS Department of Public Service
Assemblywoman Sandra Galef, NYS Assembly
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Congressman John Hall
Congresswoman Nita Lowey
Senator Hillary Rodham Clinton
Senator Charles Schumer
G. Shapiro, Senator Clinton's Staff
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P. Musegaas, Riverkeeper, Inc.
M. Kaplowitz, Chairman of County Environment & Health Committee
A. Reynolds, Environmental Advocates
D. Katz, Executive Director, Citizens Awareness Network
K. Coplan, Pace Environmental Litigation Clinic
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Joseph E. Pollock

3

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R. Christman, Manager Training and Development

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U.S. NUCLEAR REGULATORY COMMISSION

REGION I

Docket Nos.: 50-247, 50-286

License Nos.: DPR-26, DPR-64

Report Nos.: 05000247/2008502, 05000286/2008502

Licensee: Entergy Nuclear Northeast (Entergy)

Facility: Indian Point Nuclear Generating Units 2 and 3

Location: 450 Broadway, GSB
Buchanan, NY 10511-0249

Dates: December 1-4, 2008

Inspectors: S. Barr, Sr. Emergency Preparedness Inspector, DRS, Region I (Lead)
B. Fuller, Operations Engineer, DRS, Region I
D. Everhart, Reactor Engineer, DRS, Region I
C. Crisden, Reactor Engineer, DRS, Region I
R. Kahler, Chief, Inspection and Regulatory Improvement Branch (IRIB), NSIR
S. LaVie, Senior Emergency Preparedness Specialist, IRIB, NSIR

Approved By: James A. Trapp, Chief
Plant Support Branch 1
Division of Reactor Safety

SUMMARY OF FINDINGS

IR 05000247/2008502 and 05000286/2008502; 12/01/2008-12/04/2008; Indian Point Units 2 and 3; Exercise Evaluation; Emergency Action Level and Emergency Plan Changes; Emergency Preparedness Performance Indicators.

This was an announced inspection conducted by four region-based inspectors and two headquarters-based inspectors. No findings of significance were identified. The NRC's program for overseeing the safe operation of commercial nuclear power reactors is described in NUREG-1649, "Reactor Oversight Process," Revision 4, dated December 2006.

Cornerstone: Emergency Preparedness

A. NRC-Identified and Self-Revealing Findings

No findings of significance were identified.

B. Licensee-Identified Findings

None.

REPORT DETAILS

1. REACTOR SAFETY

Cornerstone: Emergency Preparedness (EP)

1EP1 Exercise Evaluation (71114.01 – 1 Sample)

a. Inspection Scope

Prior to the December 3, 2008, emergency preparedness exercise, the NRC inspectors conducted an in-office review of the exercise objectives and scenario, which Entergy had submitted to the NRC, to determine if the exercise would test major elements of the Indian Point Energy Center Emergency Plan as required by 10 CFR 50.47(b)(14). This overall exercise inspection activity represented the completion of one sample on a biennial cycle.

The exercise evaluation consisted of the following review and assessment:

- The adequacy of Entergy's performance in the biennial full-participation exercise regarding the implementation of the risk-significant planning standards (RSPS) described in 10 CFR 50.47(b)(4), (5), (9), and (10), which are: emergency classification; offsite notification; radiological assessment; and protective action recommendations, respectively.
- The overall adequacy of Entergy's emergency response facilities with regard to NUREG-0696, "Functional Criteria for Emergency Response Facilities," and Emergency Plan commitments. The facilities assessed were the Control Room Simulator, Technical Support Center (TSC), Emergency Operations Facility (EOF), and Joint Information Center (JIC).
- A review of other performance areas, such as: the Indian Point emergency response organization's (ERO's) recognition of abnormal plant conditions; command and control; intra- and inter-facility communications; prioritization of mitigating activities; utilization of repair and field monitoring teams; interface with offsite agencies; staffing and procedure adequacy; and the overall implementation of the emergency plan and its implementing procedures.
- A review of past performance issues from the last NRC Indian Point exercise inspection report and Entergy's EP drill reports, to determine the effectiveness of licensee corrective actions as demonstrated during the December 3, 2008, exercise and to ensure compliance with 10 CFR 50.47(b)(14).
- The licensee's post-exercise critiques, to evaluate Entergy's self-assessment of its ERO performance during the December 3, 2008, exercise and to ensure compliance with 10 CFR 50, Appendix E, Section IV.F.2.g.

The inspectors reviewed the documents listed in the attachment to this report.

b. Findings

No findings of significance were identified.

1EP4 Emergency Action Level (EAL) and Emergency Plan Changes (71114.04 – 1 Sample)

a. Inspection Scope

Since the last NRC inspection of this program area, Revision 08-01 of the Indian Point Energy Center Emergency Plan was implemented by Entergy. Entergy had determined that in accordance with 10 CFR 50.54(q), any change made to the Plan had not resulted in any decrease in effectiveness of the Plan, and that the revised Plan continued to meet the requirements of 10 CFR 50.47(b) and Appendix E to 10 CFR 50. The inspectors reviewed all EAL changes made since September 2007, and conducted a sampling review of other Emergency Plan changes, including changes to lower-tier emergency plan implementing procedures, to evaluate for any potential decreases in effectiveness of the Emergency Plan. However, this review was not documented in a Safety Evaluation Report and does not constitute formal NRC approval of the changes. Therefore, these changes remain subject to future NRC inspection in their entirety.

b. Findings

No findings of significance were identified.

4. OTHER ACTIVITIES (OA)

4OA1 Performance Indicator (PI) Verification (71151 – 3 Samples)

a. Inspection Scope

The inspectors reviewed data for the Indian Point EP PIs, which are: (1) Drill and Exercise Performance (DEP); (2) Emergency Response Organization (ERO) Drill Participation; and, (3) Alert and Notification System (ANS) Reliability. The last EP inspection at Indian Point was conducted in the third quarter of 2007, so the inspectors reviewed supporting documentation from EP drills and tests from the third calendar quarter of 2007 through the third quarter of 2008, to verify the accuracy of the reported PI data. The review of these PIs was conducted in accordance with NRC Inspection Procedure 71151, using the acceptance criteria documented in NEI 99-02, "Regulatory Assessment Performance Indicator Guidelines," Revision 5.

Additionally, the inspector performed NRC Temporary Instruction (TI) 2515/175, "Emergency Response Organization, Drill/Exercise Performance Indicator, Program Review," ensured the completeness of the licensee's completed Attachment 1 from the TI, and forwarded that data to NRC Headquarters.

This inspection activity represented the completion of three samples on an annual cycle.

b. Findings

No findings of significance were identified.

4OA6 Meetings, Including Exit

On December 4, 2008, the inspectors presented the results of this inspection to Mr. J. Pollock, the Site Vice President, and other members of the Entergy staff. No proprietary information was provided to the inspectors during this inspection.

ATTACHMENT
SUPPLEMENTAL INFORMATION
KEY POINTS OF CONTACT

Licensee Personnel

J. Pollock, Site Vice President
B. Sullivan, Indian Point Emergency Planning Manager

LIST OF ITEMS OPENED, CLOSED, AND DISCUSSED

None

LIST OF DOCUMENTS REVIEWED

Section 1EP1: Exercise Evaluation

Indian Point Energy Center Emergency Plan (Revision 08-01)
Indian Point Energy Center Emergency Implementing Procedures
Indian Point Energy Center Emergency Plan Administrative Procedures
Indian Point December 3, 2008, Emergency Exercise Scenario Package
Indian Point Emergency Preparedness Drill Reports, January 2007 – November 2008
Condition Reports generated as a result of the December 3, 2008, exercise
(CRs: IP3-2008-03022, IP3-2008-03023, IP3-2008-03029, IP3-2008-03030)

Section 1EP4: Emergency Action Level and Emergency Plan Changes

Indian Point Energy Center Emergency Plan (Revisions 5, 6, 7, and 08-01)
IP-EP-AD1, Maintaining Emergency Preparedness (Revision 3)
IP-EP-AD2, Emergency Planning Controlled Documents (Revision 5)
IP-EP-AD16, Emergency Planning Records (Revision 0)
IP-EP-AD17, Emergency Plan Equipment Administration (Revision 1)
EN-EP-305, Emergency Planning 10CFR50.54(q) Review Program (Revision 1)
EN-LI-100, Process Applicability Determination (Revision 7)
EN-LI-101, 10CFR50.59 Review Program (Revision 4)
Various Emergency Plan and related procedure and equipment 10CFR50.54(q) screenings and evaluations, dated between September 2007 and December 2008

Section 4OA1: Performance Indicator Verification

EN-LI-114, Performance Indicator Process (Revision 4)
IP-EP-AD5, Emergency Preparedness Performance Indicator Program (Revision 3)
ERO Drill Participation PI data, July 2007 – September 2008
Alert Notification System PI data, July 2007 – September 2008
DEP PI data, July 2007 – September 2008

LIST OF ACRONYMS

ANS	Alert Notification System
CR	Condition Report
DEP	Drill and Exercise Performance
EAL	Emergency Action Level
EOF	Emergency Operations Facility
EP	Emergency Preparedness
ERO	Emergency Response Organization
JIC	Joint Information Center
NEI	Nuclear Energy Institute
NRC	Nuclear Regulatory Commission
PI	Performance Indicator
RSPS	Risk Significant Planning Standard
TSC	Technical Support Center