

## **SAFEGUARDS INFORMATION**

September 28, 2009

Mr. Joseph Pollock  
Vice President  
Indian Point Nuclear Generating Station  
Entergy Nuclear Operations, Inc.  
450 Broadway  
Buchanan, NY 10511-0249

SUBJECT: INDIAN POINT NUCLEAR GENERATING STATION — U. S. NUCLEAR  
REGULATORY COMMISSION SECURITY BASELINE INSPECTION REPORT  
05000247/2009201 AND 05000286/2009201

Dear Mr. Pollock:

On May 22, 2009, the U.S. Nuclear Regulatory Commission (NRC) completed a security baseline inspection at the Indian Point Nuclear Generating Station. 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 May 22, 2009 and August 11, 2009, with members of the site staff.

The inspection examined activities conducted under your license as they relate to security 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. 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 or compensated for, 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. However, because of the very low security significance and because it is entered into your corrective action program, the NRC is treating the violation as a non-cited violation (NCV) consistent with Section VI.A1 of the NRC Enforcement Policy. If you contest this NCV, you should provide a response within 30 days of the date of this inspection report, with the basis for your denial, to the U. S. Nuclear Regulatory Commission, ATTN.: Document Control Desk, Washington DC 20555-0001; with copies to the Regional Administrator Region IV; Director, Office of Enforcement, U. S. Nuclear Regulatory Commission, Washington, DC 20555-0001; and the NRC Resident Inspectors at the Indian Point Nuclear Generation Station.

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 Agency Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site 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 enclosures will not be available for public inspection.

Enclosure Contains Safeguards Information. Upon separation, this page is decontrolled.

## **SAFEGUARDS INFORMATION**

## **SAFEGUARDS INFORMATION**

J. Pollock

-2-

Should you have any questions concerning this letter, please contact us. Your cooperation is appreciated.

Sincerely,

**/RA/**

Robert C. Johnson, Chief  
Security Performance Evaluation Branch  
Division of Security Operations  
Office of Nuclear Security and Incident Response

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

Enclosure: NRC Inspection Report Nos. 05000247/2009201 and 05000286/2009201 (SGI)  
w/ Attachment: Supplemental Information

**cc w/encl:**

D. Gagnon, Site Security Manager, Indian Point Site

**cc w/o encl:**

Senior Vice President, Entergy Nuclear Operations  
Vice President, Operations, Entergy Nuclear Operations  
Vice President, Oversight, Entergy Nuclear Operations  
Senior Manager, Nuclear Safety and Licensing, Entergy Nuclear Operations  
Senior Vice President and COO, Entergy Nuclear Operations  
Assistant General Counsel, Entergy Nuclear Operations  
Manager, Licensing, Entergy Nuclear Operations  
C. Donaldson, Esquire, Assistant Attorney General, New York Department of Law  
A. Donahue, Mayor, Village of Buchanan  
J. G. Testa, Mayor, City of Peekskill  
R. Albanese, Four County Coordinator  
S. Lousteau, Treasury Department, Entergy Services, Inc.  
Chairman, Standing Committee on Energy, New York State Assembly  
Chairman, Standing Committee on Environmental Conservation, New York State Assembly  
Chairman, Committee on Corporations, Authorities, and Commissions  
M. Slobodien, Director, Emergency Planning  
P. Eddy, NYS Department of Public Service  
Assemblywoman Sandra Galef, New York State Assembly  
T. Seckerson, County Clerk, Westchester County Board of Legislators  
A. Spano, Westchester County Executive  
R. Bondi, Putnam County Executive  
C. Vanderhoef, Rockland County Executive  
E. A. Diana, Orange County Executive

**SAFEGUARDS INFORMATION**

**SAFEGUARDS INFORMATION**

T. Judson, Central NY Citizens Awareness Network

## **SAFEGUARDS INFORMATION**

J. Pollock

-3-

### **cc w/o encl:** (Cont.)

M. Elie, Citizens Awareness Network  
Public Citizen's Critical Mass Energy Project  
M. Mariotte, Nuclear Information & Resources Service  
F. Zalzman, Pace Law School, Energy Project  
L. Puglisi, Supervisor, Town of Cortlandt  
Congressman John Hall  
Congresswoman Nita Lowey  
Senator Kirsten E. Gillibrand  
Senator Charles Schumer  
G. Shapiro, Senator Gillibrand's Staff  
J. Riccio, Greenpeace  
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  
M. Jacobs, IPSEC  
W. Little, Associate Attorney, NYSDEC  
M. J. Greene, Clearwater, Inc.  
R. Christman, Manager Training and Development  
J. Spath, New York State Energy Research, SLO Designee  
F. Murray, New York State Energy Research  
A. J. Kremer, New York Affordable Reliable Electricity Alliance (NY AREA)

**SAFEGUARDS INFORMATION**

J. Pollock

-2-

Should you have any questions concerning this letter, please contact us. Your cooperation is appreciated.

Sincerely,

*/RA/*

Robert C. Johnson, Chief  
Security Performance Evaluation Branch  
Division of Security Operations  
Office of Nuclear Security and Incident Response

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

Enclosure: NRC Inspection Report Nos. 05000247/2009201 and 05000286/2009201 (SGI)  
w/ Attachment: Supplemental Information

cc: (See pages 2 & 3)

**cc w/o encl: (via e-mail)**

- |  |                      |
|--|----------------------|
| S. Collins, RA   | M. Gray, DRP         |
| M. Dapas, DRA  | B. Bickett, DRP      |
| D. Lew, DRP  | S. McCarver, DRP     |
| J. Clifford, DRP   | G. Malone, SRI, IP2  |
| S. Campbell, RI OEDO   | C. Hott, RI, IP2     |
| R. Nelson, NRR   | P. Cataldo, SRI, IP3 |
| M. Kowal, NRR  | A. Koonce, RI, IP3   |
| J. Boska, PM, NRR  | D. Hochmuth, DRP     |
| J. Hughey, NRR   | D. Bearde, DRP       |
| T. Howard, PMDA  |                      |
| <a href="mailto:ROPReportsResources@nrc.gov">ROPReportsResources@nrc.gov</a> |                      |
| RI Docket Room (with concurrences)   |                      |
| A. Huffert, NSIR (Security Correspondence Issues – Communication)            |                      |

**cc w/encl:**

- D. Brady, STSB
- D. Caron, R-I
- J. Curry, DDSO/DSO

**Accession No.:ML092710193**

OFC	SS:DSO/SPEB	TL:DSO/SPEB	BC:RI/DRS/PSB1	SRI Indian Point	BC:DSO/SPEB
NAME	JBerry	JBeardsley	JTrapp	PCataldo	R. Johnson
DATE	7/10/2009	8/27/2009	9/23/2009	7/29/2009	9/28/2009

**OFFICIAL RECORD COPY**