UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

October 19, 2009

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

SUBJECT: INDIAN POINT NUCLEAR GENERATING UNIT NO. 2 - RELIEF FROM THE REQUIREMENTS ON INSERVICE INSPECTION SCHEDULES (TAC NO. ME1825)

Dear Sir or Madam:

By letter dated August 5, 2009, Agencywide Documents Access and Management System Accession No. ML092240074, Entergy Nuclear Operations, Inc. (the licensee) submitted Relief Request No. RR-2-10 to the Nuclear Regulatory Commission (NRC) for Indian Point Nuclear Generating Unit No. 2 (IP2). The relief pertains to the visual examinations of the four reactor vessel cold leg nozzle-to-pipe connections at IP2, for the fourth 10-year inservice inspection (ISI) interval which began on March 1, 2007, and ends on April 3, 2016. The licensee specifically requests approval of the inspection scheduling provided in Note 6 of Code Case N-722, from the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code), in lieu of the scheduling requirements provided in Footnote 1 of Title 10 of the *Code of Federal Regulations* (10 CFR), Section 50.55a(g)(6)(ii)(E).

In the most recent update to 10 CFR 50.55a, "Codes and standards," the Commission added new requirements in 10 CFR 50.55a(g)(6)(ii)(E) that pertain to reactor coolant pressure boundary visual inspections. In accordance with 10 CFR 50.55a(g)(6)(ii)(E), the visual inspection requirements for reactor vessel cold leg nozzle-to-pipe connections must be performed once per 10-year interval. The new paragraph required that all licensees of pressurized-water reactors augment their ISI program by implementing Code Case N-722 subject to the conditions specified in 10 CFR 50.55a(g)(6)(ii)(E)(2) through (4). Paragraph 50.55a(g)(6)(ii)(E) contains footnote No. 1 which reads as follows:

> For inspections to be conducted every refueling outage and inspections conducted every other refueling outage, the initial inspection shall be performed at the next refueling outage after January 1, 2009. For inspections to be conducted once per interval, the inspections shall begin in the interval in effect on January 1, 2009, and shall be prorated over the remaining periods and refueling outages in this interval.

Since each cold leg nozzle inspection is only required once per 10-year interval, the first sentence of the footnote does not apply to this inspection. The wording in the second sentence of this footnote has generated some confusion and has had the unintended consequence of some licensees believing that they need to submit additional relief requests. The second sentence in the footnote is intended to specify what portion of welds has to be inspected during

a plant's interval that remains after January 1, 2009. The intent was to require licensees to distribute the population such that the portion of welds to be inspected in the remaining portion of the interval be based on the portion of the interval remaining as of January 1, 2009. Instead, the wording is being incorrectly interpreted by some licensees as requiring all the welds to be distributed over, and inspected during, the remaining periods and outages in the interval.

The NRC staff has reviewed and evaluated the information provided in RR-2-10 and finds that the actions the licensee proposes to take are consistent with the requirements in footnote No. 1 of 10 CFR 50.55a(g)(6)(ii)(E). Therefore, the NRC staff has determined that no relief is needed for this request.

If you have any questions, please contact me, at (301) 415-2901.

Sincerely,

John P. Boska

John P. Boska, Senior Project Manager
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-247

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The NRC staff has reviewed and evaluated the information provided in RR-2-10 and finds that the actions the licensee proposes to take are consistent with the requirements in footnote No. 1 of 10 CFR 50.55a(g)(6)(ii)(E). Therefore, the NRC staff has determined that no relief is needed for this request.

If you have any questions, please contact me, at (301) 415-2901.

Sincerely,

/RA/

John P. Boska, Senior Project Manager
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
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