



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PA 19406-1415**

November 10, 2009

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Enclosure Contains Safeguards Information.
When separated from enclosure, this
Document is not Safeguards Information.

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

**SUBJECT: INDIAN POINT ENERGY CENTER - NRC SECURITY INSPECTION REPORT
NOS. 05000247/2009402 AND 05000286/2009402**

Dear Mr. Pollock:

On October 2, 2009, the U.S. Nuclear Regulatory Commission (NRC) completed a security baseline inspection at your Indian Point Energy Center, Units 2 and 3. 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 October 2, 2009, with Mr. Joseph Pollock and other members of your staff.

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

This report documents three findings of very low security significance (i.e. Green, as determined by the Physical Protection Significance Determination Process). The deficiencies were 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

Warning: Violation of section 147 of the Atomic Energy Act, "Safeguards Information" is subject to civil and criminal penalties

**SAFEGUARDS INFORMATION DETERMINATION
MADE BY:
NAME/TITLE: James M. Trapp, Chief
ORGANIZATION: RI/DRS/PSB1
BASIS - DG-SG-1 (300) Physical Protection Program
SIGNATURE JMT DATE: 11/10/09**

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left the site. One of the findings had a cross-cutting aspect associated with it in the area of Problem Identification and Resolution [P.1.(c)] because the licensee did not ensure that an issue potentially impacting nuclear safety was fully evaluated such that the resolution addressed the causes and extent of condition. If you disagree with the characterization of any finding in this report, you should provide a response within 30 days of the date of this inspection report, with the basis for your disagreement, to the Regional Administrator, Region I, and the NRC Resident Inspector at Indian Point Energy Center. The information you provide will be considered in accordance with Inspection Manual Chapter 0305.

Additionally, three licensee identified violations which were determined to be of very low security significance are listed in this report. However, because of the very low security significance and because they are entered into your corrective action program, the NRC is treating these violations as non-cited violations (NCVs) consistent with Section VI.A.1 of the NRC Enforcement Policy.

If you contest these non-cited violations, you should provide a response within 30 days of the date of this inspection report, with the basis for your denial, to the Nuclear Regulatory Commission, ATTN.: Document Control Desk, Washington DC 20555-0001; with copies to the Regional Administrator Region I; the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001; and the NRC Resident Inspector at Indian Point Energy Center.

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, ADAMS. ADAMS is accessible from the NRC Website at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room). However, because of the security-related information contained in the enclosure, and in accordance with 10 CFR 2.390, a copy of this letter's enclosure will not be available for public inspection.

In accordance with 10 CFR 2.390(b)(1)(ii), the NRC is waiving the affidavit requirements for your response, if any. This practice will ensure that your response will not be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system, ADAMS. If Safeguards Information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21. Otherwise, mark your entire response "Security-Related Information - Withhold Under 10 CFR 2.390" and follow the instructions for withholding in 10 CFR 2.390(b)(1).

Sincerely,

/RA/

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

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

Enclosure: NRC Inspection Report Nos. 05000247/2009402 and 05000286/2009402
w/Attachment: Supplemental Information
(CONTAINS SAFEGUARDS INFORMATION)

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Sincerely,
/RA/
James M. Trapp, Chief
Plant Support Branch 1
Division of Reactor Safety

Docket Nos. 50-247, 50-286
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