



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

January 5, 2010

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. 3 - DETERMINATION ON
EXIGENT CIRCUMSTANCES FOR LICENSE AMENDMENT REQUEST
(TAC NO. ME2910)

Dear Sir or Madam:

On December 15, 2009, Agencywide Documents Access and Management System (ADAMS) Accession No. ML093500595, as supplemented by letters dated December 22, 2009 (ADAMS Accession No. ML093631142) and January 4, 2010, Entergy Nuclear Operations, Inc. (Entergy), submitted an application for a proposed amendment for Indian Point Nuclear Generating Unit No. 3 (IP3) which would extend the allowed outage time for the turbine-driven auxiliary feedwater pump to 106 hours from the current 72 hours to allow maintenance work on the pump with IP3 remaining at full power. The application requested that the notice for public comment period be reduced, using the exigent provisions of Title 10 of the *Code of Federal Regulations* (10 CFR), Section 50.91, "Notice for public comment; State consultation."

The Nuclear Regulatory Commission (NRC) staff has reviewed the submittals and has determined that there is insufficient justification to use the exigent provisions of 10 CFR 50.91. The NRC staff finds that there is not a sufficient need to act quickly such that the normal public notice period should be reduced. As stated in the amendment and supplements referenced above, you have determined that the turbine-driven auxiliary feedwater pump is currently operable per the IP3 Technical Specifications, and capable of performing its safety mission.

Please advise us if you desire to withdraw this amendment request, or if you desire to continue processing it under the normal public notice provisions of 10 CFR 50.91. Please contact me at (301) 415-2901 if you have any questions on this issue.

Sincerely,

A handwritten signature in black ink that reads "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. 50-286

cc: Distribution via Listserv

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/RA/

John P. Boska, Senior Project Manager
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ADAMS ACCESSION NO.: ML100050260

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