

John D. O'Toole
Vice President

Consolidated Edison Company of New York, Inc.
4 Irving Place, New York, NY 10003
Telephone (212) 460-2533

February 20, 1986

Re: Indian Point Unit No. 2
Docket No. 50-247

Director of Nuclear Reactor Regulation
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

ATTN: Mr. Steven A. Varga, Project Director
PWR Project Directorate No. 3
Division of PWR Licensing - A

Dear Mr. Varga:

In our letter of November 20, 1985 we stated our intention to submit an external flooding technical specification for Indian Point Unit No. 2 (IP-2), as requested in your letter of September 19, 1985. As a basis for this intended submittal we reviewed the technical specification for external flooding of Indian Point Unit No. 3, since the hydrological and physical conditions are identical for both units. In addition, we reviewed the on-site emergency plans in place for IP-2, the Indian Point Final Safety Analysis Report and the Indian Point Probabilistic Safety Study. The results were presented at a meeting of our Nuclear Facilities Safety Committee (NFSC) as a prerequisite to submittal to the NRC. We were unable to persuade the NFSC that the requested technical specification would provide substantial additional protection of public health and safety when compared to current operating practices. The NFSC expressed its concern with the potentially adverse safety impact of burdening the plant operators with an additional technical specification requirement that, based on available information, does not perceptibly reduce an already negligible risk.

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Recent discussions with NRR senior management relative to technical specification simplification have also convinced us that the addition of this flooding technical specification for IP-2 would be inconsistent with the emerging policy of the NRC, and would not bring about a substantial increase in the overall protection of the public health and safety. We therefore withdraw our commitment to submit a technical specification on external flooding for IP-2. Attachment A to this letter provides additional justification to support our position.

Very truly yours,

A handwritten signature in black ink, appearing to read "John D. O'Toole", with a long horizontal flourish extending to the right.

John D. O'Toole
Vice President

cc: Senior Resident Inspector
U. S. Nuclear Regulatory Commission
P. O. Box 38
Buchanan, New York 10511

ATTACHMENT A

Justification to Support Con Edison's Position on
External Flooding Risk at Indian Point Unit No. 2

Consolidated Edison Company of New York, Inc.
Indian Point Unit No. 2
Docket No. 50-247
Facility Operating License No. DPR-26
February, 1986

1. Indian Point Unit No. 2 Final Safety and Analysis Report (FSAR)

The IP2 FSAR, Section 2.5, addressed flooding and concluded that:

- a) The highest recorded water elevation in the vicinity of the site was 7.4 ft above mean sea level (MSL), which occurred during an exceptionally severe hurricane in November 1950. Since the river water elevation would have to reach 15 ft 3 in above MSL before it would seep into any of the IP-2 buildings, the potential for any flooding damage at the site appears to be extremely remote. (emphasis added)
- b) The severest flooding condition revealed by the study results from the simultaneous occurrence of a standard project flood, a failure of the Ashokan Dam and a storm surge in New York Harbor at the mouth of the Hudson River resulting from a standard project hurricane. The water level under these conditions would reach 14 ft above MSL. Local wave action due to wind effects has been determined to add 1 ft to the river elevation producing a maximum water elevation of 15 ft above MSL at the Indian Point site. Since this maximum water elevation is 3 in. lower than the critical elevation of 15 ft 3 in. noted earlier, it is reasonable to conclude that flooding in the Hudson River will not present a hazard to safe operation of Indian Point. (emphasis added)
- c) Flooding at the site is a highly unlikely possibility. (emphasis added)

2. Indian Point Probabilistic Safety Study (IPPSS)

The IPPSS, as amended through Amendment No. 2, examined external events and concluded the following:

- a) The dominant contributors to risk of significant release from external events were:

<u>Event</u>	<u>Frequency</u>
1) Fire	6.7×10^{-6}
2) Wind	3.6×10^{-5}
3) Earthquake	7.7×10^{-6}

- b) The external flooding contribution to core melt frequency is extremely small (i.e., 10^{-8} to 10^{-12}) and, as such, has essentially no impact on either core melt frequency or risk.

Clearly the risk of a significant release initiated by external flooding is vanishingly small; i.e., less than 10^{-8} to 10^{-12} and orders of magnitude less than the risk due to other external events.

3. Atomic Safety and Licensing Board Proceedings on Petition of the Union of Concerned Scientists

During these proceedings a consultant witness for the NRC staff submitted testimony on the risks of accidents at Indian Point due to external initiating events. With respect to external flooding, Dr. Robert V. Budnitz testified:

- a) IP-2 would be protected against the design basis flood through application of provisions of the IP-2 emergency response plan.
- b) A flood necessitating sandbagging (11.0 feet in IP-3's tech spec) or plant shutdown (12.5 feet in IP-3's tech spec) would be an extremely rare event.
- c) The IPPSS states that the design basis flood of 14.0 feet stillwater level was calculated from the simultaneous combination of three rare events, each with estimated annual frequencies of occurrence of between 10^{-5} to 10^{-4} per year. Therefore, the design basis flood would have an estimated annual frequency of 10^{-9} to 10^{-12} per year.
- d) Hurricanes are usually an autumn phenomenon in this region, while high river level is usually a spring phenomenon, making their coincidence an unlikely occurrence.
- e) Floods are not significant contributors to initiating core-melt accidents compared to other types of core melt accidents.

This testimony was not questioned or contravened by other witnesses, the presiding Administrative Law Judges, or the Commissioners. The final decision of the NRC in this matter was that the Indian Point Units, in their current mode of operation (in this instance, without a flooding technical specification for IP-2), do not impose an undue risk to the public health and safety.