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January 28, 2010

NL-10-016

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

SUBJECT: Supplement to Proposed License Amendment to Change Technical Specifications Regarding Surveillance Requirements For AC and DC Sources (ME2689)
Indian Point Unit Number 3
Docket No. 50-286
License No. DPR-64

- Reference:**
1. Entergy Letter NL-09-129 to NRC, "Proposed License Amendment to Change Technical Specifications Regarding Surveillance Requirements For AC and DC Sources," dated November 19, 2009.
 2. NRC Letter to Entergy "Supplemental Information Needed For License Amendment Request On AC and DC Sources (TAC No. ME2869), dated January 13, 2010.

Reference:

Dear Sir or Madam:

Entergy Nuclear Operations, Inc, (Entergy) requested a License Amendment to Operating License DPR-64, Docket No. 50-286 for Indian Point Nuclear Generating Unit No. 3 (IP3) in Reference 1. The proposed amendment would revise the test acceptance criteria specified in Surveillance Requirement (SR) 3.8.1.10 for the Diesel Generator endurance surveillance test, revise the surveillance to reflect modifications to the surveillance by TSTF-276-A, Revision 2, and make additional changes to the notes in various SRs in 3.8.1 and 3.8.4 to reflect changes made to the Standard Technical Specifications by TSTF-283-A, Revision 3. In reference 2 the NRC requested additional technical bases for changes to the notes in SR 3.8.4.3 and 3.8.4.4 with respect to battery capacity tests. Entergy understands that the subject notes have been

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placed on the agenda for an upcoming meeting on travelers and the NRC may have concerns with the notes. Accordingly, Entergy is hereby removing the proposed changes to the notes from the two surveillances pending industry resolution. Entergy originally proposed that the SR 3.8.4.3 note and the SR 3.8.4.4 note be revised from:

“This Surveillance shall not be performed in MODE 1, 2, 3, or 4.”

To:

“This Surveillance shall not normally be performed in MODE 1, 2, 3, or 4. However, portions of the Surveillance may be performed to reestablish OPERABILITY provided an assessment determines the safety of the plant is maintained or enhanced.”

The notes will remain as they currently are and the associated bases will not be revised. Additionally, note that Reference 1 had referenced TSTF-279 in Section 1 of Attachment 1 and this should be corrected to TSTF-276.

There are no new commitments being made in this submittal. If you have any questions or require additional information, please contact Mr. Robert Walpole, IPEC Licensing Manager at (914) 734-6710.

I declare under penalty of perjury that the foregoing is true and correct. Executed on January, 28, 2010.

Sincerely,



JEP/sp

cc: Mr. John P. Boska, Senior Project Manager, NRC NRR DORL
Mr. Samuel J. Collins, Regional Administrator, NRC Region 1
NRC Resident Inspector, IP3
Mr. Francis J. Murray, Jr., President and CEO, NYSERDA
Mr. Paul Eddy, New York State Dept. of Public Service