

50-286



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

July 27, 1995

The Honorable Sue W. Kelly
United States House of Representatives
Washington, DC 20515-3219

Dear Congresswoman Kelly:

I am responding to your letter of June 28, 1995, to former Chairman Selin of the U.S. Nuclear Regulatory Commission, in which you expressed concern that every step be taken to ensure the safe operation of Indian Point Nuclear Generating Unit No. 3 (IP3). You also requested to be kept informed of the facility's progress during the restart.

As you know, IP3 was shut down by the New York Power Authority (NYPA) in February 1993, to correct several hardware issues and to implement plant-wide programmatic improvements. The plant restarted on June 27, 1995. The NRC has undertaken significant inspection and assessment efforts since the February 1993 shutdown to evaluate NYPA's progress in resolving technical concerns and correcting the underlying root causes of the identified deficiencies.

During the IP3 restart, the NRC implemented an augmented inspection plan to assess NYPA's activities. In addition to the three full-time resident inspectors assigned to the site, additional inspectors provided around-the-clock coverage for the first phase of the startup and maintained augmented inspection effort for about three weeks. During this time, among other NRC inspection activities, the inspectors reviewed NYPA's self-assessment of safety performance, quality assurance assessments, and support to operations on emergent issues. The staff reviewed the results of NYPA's self-assessment and on the basis of our independent augmented inspection effort, we agreed with the findings.

NYPA had committed not to increase reactor power above 40 percent until they performed a self-assessment and notified the NRC staff of the results. By letter dated July 6, 1995, NYPA notified the NRC staff of the results of this self-assessment. I have enclosed a copy of this letter for your information. The staff reviewed NYPA's self-assessment and, on the basis of our independent augmented inspection effort, we agreed with the results. Although our augmented startup inspection effort has ended, I assure you that until IP3 has operated at an improved performance level for a sustained period of time, the NRC staff will continue to oversee this facility at an enhanced level.

NYPA has also committed that, after achieving full-power operation, they will conduct a self-assessment of the restart process and will present the results to the NRC staff in a public meeting. The meeting will be held in the vicinity of the site and open for public observation, to be followed by a

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July 27, 1995

The Honorable Kelly

-2-

question-and-answer session, allowing the public an opportunity to discuss issues with the NRC staff in attendance.

Regarding your request to be kept informed of the facility's progress, we would be glad to meet with you to provide any additional information you may need.

I trust this information addresses your request.

Sincerely,

Original signed by
James M. Taylor

James M. Taylor
Executive Director
for Operations

Enclosure: NYPA letter dated
July 6, 1995

Distribution: See attached sheet

*See previous concurrence

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The Honorable Kelly

-2-

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Regarding your request to be kept informed of the facility's progress, we would be glad to meet with you to provide any additional information you may need.

I trust this information addresses your request.

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NAME	RZimmerman	TMartin(phone)		JRussell		JTaylor			
DATE	07/21/95	07/20/95		07/25/95		07/21/95		07/ /95	

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Docket File (50-286) (w/incoming)

PUBLIC (w/incoming)

EDO# 0000497

EDO Reading, 017-G21

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N. Conicella (w/incoming)

S. Little

C. Cowgill



William J. Cahill, Jr.
Chief Nuclear Officer

July 6, 1995
IPN-95-073

U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555

SUBJECT: Indian Point 3 Nuclear Power Plant
Docket No. 50-286
Self Assessment During Plant Startup

REFERENCE: 1. NYPA letter IPN-95-065, W. J. Cahill, Jr., to NRC, "Readiness to Restart Indian Point 3," dated June 12, 1995.
2. NRC letter, T. Martin to W. Cahill, Jr., "Restart of the Indian Point 3 Nuclear Power Plant," dated June 19, 1995.

Dear Sir:

The New York Power Authority has completed a self-assessment of reactor restart and power ascension to 30% - 40% power at the Indian Point 3 Nuclear Power Plant. This period in the power ascension program provided an opportunity to assess, under operating conditions, performance of plant systems and the effectiveness of plant staff and administrative processes. The Power Authority committed to provide the self-assessment results to the NRC staff prior to exceeding 40% reactor power (References 1 and 2).

The assessment consisted of system walkdowns by engineering and operations personnel, self-assessments by Department Managers, an evaluation by the Independent Safety Engineering Group (ISEG), and surveillances by the Quality Assurance group. Assessment results were presented to the Plant Leadership Team (PLT), consisting of senior plant management, for critical review. A description of the self-assessment method and summary of results is provided in Attachment I.

The startup evolution following the replacement of the reactor vessel head O-ring has proceeded smoothly with few emergent issues requiring resolution. Conservative decision-making is evident at all levels in the organization and there is strong management involvement and control of activities. Results of the self-assessment indicate that actions taken to date by the Power Authority to improve performance at Indian Point 3 are effective.

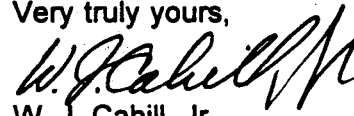
Enclosure

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The Power Authority concludes that plant equipment, personnel and administrative processes at Indian Point 3 can safely support the remaining power ascension activities and sustained operation at full power conditions. Additional assessment activities are planned during the balance of the power ascension program and results will be provided to the NRC in a public meeting after achieving full power operation.

There are no new commitments identified in this letter. If you have any questions, please contact me.

Very truly yours,



W. J. Cahill, Jr.
Chief Nuclear Officer

cc: Mr. Thomas T. Martin
Regional Administrator / Region I
U.S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406-1415

Mr. Curtis J. Cowgill, Chief
Reactor Projects Branch No. 1
U.S. Nuclear Regulatory Commission
Region I
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King of Prussia, PA 19406-1415

Mr. Nicola F. Conicella, Project Manager
Project Directorate I-1
Division of Reactor Projects I/II
U.S. Nuclear Regulatory Commission
Mail Stop 14 B2
Washington, DC 20555

U.S. Nuclear Regulatory Commission
Resident Inspectors' Office
Indian Point 3 Nuclear Power Plant
P.O. Box 337
Buchanan, NY 10511

ATTACHMENT I TO IPR-95-073
SELF-ASSESSMENT OF REACTOR RESTART AND
POWER ASCENSION TO APPROXIMATELY 30% POWER
AT INDIAN POINT 3 NUCLEAR POWER PLANT

INTRODUCTION:

The New York Power Authority has completed a self-assessment of reactor restart and power ascension to approximately 30% to 40% power at the Indian Point 3 Nuclear Power Plant. The assessment covers the period from approximately June 20 to July 5, 1995. Plant heatup to normal operating temperature and pressure (following the reactor vessel O-ring replacement project) was completed on June 19. Steady state operation at the nominal 30% to 40% power plateau was achieved on July 3. The purpose of this assessment was to provide a systematic approach to evaluating the performance of plant systems, administrative processes, and personnel during this period.

The Power Authority committed to provide the self-assessment results to the NRC prior to increasing reactor power above 40% (References 1 and 2). The following sections describe the method, results and conclusions of the self-assessment.

SELF-ASSESSMENT METHOD:

The Power Authority prepared a Startup and Power Ascension Plan (Reference 3) which provides the overall structure and sequence for plant startup following the outage that began in 1993. Written guidance for conducting the self-assessment is included in the Plan. The format of this self-assessment models the assessment (i.e., Start Up Readiness Evaluation) which was performed prior to restart to demonstrate the effectiveness of corrective actions implemented at Indian Point 3 (Reference 4). The four elements of the Start Up Readiness Evaluation were:

1. System Certification to assure acceptable material condition.
2. The Operational Readiness Review consisting of a self assessment by Department Managers.
3. The Startup Evaluation for Readiness Team Inspection to independently assess plant and organizational readiness.
4. Quality Assurance independent oversight.

Assessment activities during plant startup and power ascension were developed which correspond to each of these four elements of the Start Up Readiness Evaluation. This approach provides assurance that the attributes and conclusions which supported the restart decision remain valid as the plant equipment and personnel make the transition from an outage to an operating facility. The startup and power ascension self assessment consisted of:

1. System walkdowns by system engineers and plant operators.
2. Self assessments by specified Department Managers.
3. An independent review by the Independent Safety Evaluation Group (ISEG) to ensure the operational and functional capability of the plant to support the continuation of the startup sequence.
4. Quality Assurance independent oversight.

The assessment also included a data collection effort to provide additional quantitative evidence of performance. Data was collected for selected plant process parameters and for measures of staff and administrative program effectiveness.

All assessment activities, results and conclusions were subjected to critical review by the Plant Leadership Team (PLT) during assessment hold point meetings. The PLT consists of senior on-site management personnel and has an ongoing responsibility to ensure management involvement with plant activities and to implement programs which facilitate safe operation.

System Walkdowns

During the course of plant startup, system walkdowns were conducted by system engineers and operations personnel. Walkdowns were performed to provide assurance that the material condition established as part of the pre-startup system certification program was being maintained. Equipment performance was observed as the various plant systems were placed in service. Written guidance covering material condition, housekeeping, and radiological protection where applicable was provided in the startup plan for personnel performing walkdowns.

Department Manager Self-Assessments

Self-assessments by selected Department Managers were performed to verify that their respective departments met applicable performance standards during the startup and power ascension evolution. Performance standards were defined for approximately twenty subject areas such as operator knowledge, acceptability of procedures, control of work activities, and implementation of management policies. Written guidance in the startup plan provided the Department Managers with evaluation attributes and criteria which could be used to determine if specified performance standards were achieved. Department Managers were required to present the results of their self-assessment to the Plant Leadership Team for critical review.

Independent Safety Engineering Group Review

The Independent Safety Engineering Group (ISEG) consists of the ISEG Director and a Senior Assessment Engineer at each of the Power Authority's two nuclear plants. The ISEG conducted interviews, reviewed documents, and observed work-in-progress to evaluate operations, maintenance, and engineering activities. Equipment operation was also observed and related documents were reviewed to assess the physical plant in areas such as thermal expansion and radiological, chemistry, and ambient environmental conditions. The ISEG also performed a review of low power reactor physics test results.

Quality Assurance Oversight

The site Quality Assurance department conducted a surveillance of plant performance during the period following senior management approval to restart the reactor to the holdpoint prior to exceeding 30% power. This surveillance provided a broad assessment of plant and

personnel performance with the purpose of determining if Indian Point 3 is ready to operate at full power. The surveillance included results from ongoing QA activities such as an Operations Audit and recently completed QA surveillances. Quality Assurance provided oversight during startup and power ascension in the following areas:

- Organization and Administration
- Material condition and housekeeping
- Test coordination and execution
- Operations
- Maintenance
- Instrumentation and controls
- Technical support
- Radiation control
- Chemistry

Quality Assurance oversight focused on field observations, during day shift and back shift periods, and included evaluations of communications, management oversight and control, departmental self-assessments, decision making, and procedure adherence.

SELF-ASSESSMENT RESULTS:

System Walkdowns

System walkdowns were performed at various times during startup so that equipment and system performance under changing plant conditions could be observed and to ensure that plant material condition was being maintained. Several minor items were documented as Plant Identified Deficiencies (PIDs). There are no remaining open items which prevent continued power ascension or adversely affect safe plant operation.

Additionally, there are approximately 130 Work Requests (WRs) remaining to be completed during the balance of the power ascension program. Many of these work items involve retests of recently completed corrective maintenance activities or require plant conditions above the current power level. Temporary modifications and operator work arounds are periodically reviewed to ensure they are consistent with established guidelines.

Department Manager Self-Assessments

Department Managers presented their self-assessment results to the PLT during meetings held on July 3, 4, and 5, 1995. The self-assessments identified strengths as well as areas for potential improvement. There were no weaknesses identified which would prevent their respective organizations from supporting continued power ascension to full power. Areas of future improvement are primarily in the areas of further streamlining of procedures and administrative processes. Plant staff continue to exhibit a positive and questioning attitude in the self-identification and reporting of problems.

Independent Safety Engineering Group Review

The overall conclusion of the ISEG review is that plant operation during the assessment period was conducted safely and activities were performed conservatively. Work activities are well planned particularly when a Limiting Condition for Operation (LCO) is involved. The plant is responsive to emergent issues with options and consequences being carefully evaluated before actions are taken. The ability of the organization to anticipate events before they become emergent issues could be improved. Communication within and between departments has significantly improved and additional progress can be made in the handoff of work activities from one group to the next responsible department.

Quality Assurance Oversight

Throughout the period of startup and power ascension significant improvement was noted compared to previous outages in the management and control of plant activities and material condition. Startup activities are proceeding cautiously and quality is given priority over schedule. Problems are being properly documented, brought to management attention, evaluated conservatively and resolved. Management is maintaining good visibility and control of activities prior to each startup milestone. Personnel in all departments are demonstrating good questioning attitudes, attention to detail, and adherence to procedures. Operations is controlling plant configuration and ensuring compliance with Technical Specifications and Operational Specifications. While some weaknesses were identified, the Quality Assurance surveillance did not identify any generic or specific problem area or concern which would prevent Indian Point 3 from safely continuing with the startup to full power operation.

CONCLUSION:

The self assessment demonstrated that the improvement initiatives implemented to date by the Power Authority are effective in assuring the safe operation of Indian Point 3. There is evidence of strong management involvement and control of activities. Management expectations regarding the importance of nuclear safety have been well communicated, resulting in conservative decision-making at all levels in the organization. Only one reactor trip occurred to date during the startup evolution. The trip was manually initiated and was the result of a conservative approach by plant operators.

Plant systems have performed well during reactor restart and power ascension. Plant staff have proper skills and exhibit good teamwork in responding to and resolving emergent issues. Administrative programs such as Deviation and Event Reporting (DER) and the Action and Commitment Tracking System (ACTS) provide tools for plant staff to implement an effective corrective action program.

A continuation of self-assessment activities is part of the Power Authority's plan for long term improvements at Indian Point 3. Self-assessment activities are an ongoing administrative tool which provide benefits both for management to identify areas for improvement and for plant

staff to develop a greater understanding of management expectations, including a commitment to resolving concerns.

The Power Authority concludes that plant equipment, personnel and administrative processes at Indian Point 3 can safely support the remaining power ascension activities and sustained operation at full power conditions.

REFERENCES:

1. NYPA letter IPN-95-065, W. J. Cahill, Jr., to NRC, "Readiness to Restart Indian Point 3," dated June 12, 1995.
2. NRC letter, T. Martin to W. Cahill, Jr., "Restart of the Indian Point 3 Nuclear Power Plant," dated June 19, 1995.
3. NYPA Procedure SUP-95-01, "Startup and Power Ascension Procedure."
4. NYPA letter IPN-95-036, W. J. Cahill to NRC, "Start Up Readiness Evaluation," dated March 16, 1995.

ACTION

EDO Principal Correspondence Control

FROM:

DUE: 07/19/95

EDO CONTROL: 0000497

DOC DT: 06/28/95

FINAL REPLY:

Rep. Sue W. Kelly

TO:

Ivan Selin

FOR SIGNATURE OF :

** GRN **

CRC NO: 95-0593

Executive Director

DESC:

ROUTING:

EXPRESSES CONCERN ABOUT RESTART OF INDIAN POINT 3
AND REQUEST TO BE KEPT INFORMED OF PROGRESS

Taylor
Milhoan
Thompson
Blaha
TMartin, RI

DATE: 07/05/95

ASSIGNED TO:

CONTACT:

NRR

Russell

SPECIAL INSTRUCTIONS OR REMARKS:

NRR RECEIVED:

NRR ACTION:

NRR ROUTING:

JULY 5, 1995

DRPE: VARGA

RUSSELL
MIRAGLIA
THADANI
ZIMMERMAN
CRUTCHFIELD
BOHRER

ACTION

DUE TO NRR DIRECTOR'S OFFICE

BY July 14, 1995

21

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

PAPER NUMBER: CRC-95-0593 LOGGING DATE: Jul 3 95

ACTION OFFICE: EDO

AUTHOR: REP SUE KELLY
AFFILIATION: U.S. HOUSE OF REPRESENTATIVES

ADDRESSEE: CHAIRMAN SELIN

LETTER DATE: Jun 28 95 FILE CODE: IDR-5 INDIAN PT

SUBJECT: RESTART OF INDIAN POINT 3

ACTION: Signature of EDO

DISTRIBUTION: OCA TO ACK, DSB

SPECIAL HANDLING: NONE

CONSTITUENT:

NOTES:

DATE DUE: Jul 18 95

SIGNATURE: DATE SIGNED:
AFFILIATION:

SUE W. KELLY
19TH DISTRICT, NEW YORK

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TRANSPORTATION AND INFRASTRUCTURE
VICE CHAIR, SUBCOMMITTEE ON RAILROADS
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ASSISTANT MAJORITY WHIP

Congress of the United States
House of Representatives
Washington, DC 20515-3219

PLEASE REPLY TO:
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WASHINGTON, DC 20515
(202) 225-5441
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FISHKILL, NEW YORK 12524
(914) 897-5200
☐ 105 SOUTH BEDFORD ROAD, ROOM #312-A
MT. KISCO, NEW YORK 10549
(914) 241-6340

June 28, 1995

Mr. Ivan Selin
Chairman, Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, Maryland 20852

Dear Mr. Selin:

With the restart of the Indian Point 3 nuclear power plant in Westchester County, New York, I would like to express in the strongest possible terms my concern that every step be taken to ensure the safety of this facility's continued operation.

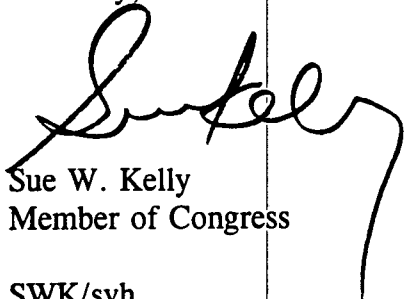
As you know, equipment and management problems forced the shutdown of the Indian Point 3 facility in 1993. Since that time, the New York Power Authority has revamped the management team at the facility and implemented operational improvements to correct the deficiencies which prompted the shutdown. Based on these improvements, the Nuclear Regulatory Commission has approved the Power Authority's plan to restart the facility.

Nuclear energy can play an important role in satisfying our energy needs, but not at the expense of public safety. I have heard from a number of my constituents expressing concerns over the restart of Indian Point 3. Their concerns underscore the primary view that the operational reforms made at the facility must place the highest priority on safety. Anything less is clearly unacceptable.

The Nuclear Regulatory Commission must carefully oversee and monitor the restart of Indian Point 3, and I would like to be kept informed on the facility's progress.

Thank you for your attention in this matter. If I can provide you with additional information on this matter, please do not hesitate to contact me.

Sincerely,



Sue W. Kelly
Member of Congress

SWK/svh

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50-286

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

July 27, 1995

The Honorable Benjamin A. Gilman
United States House of Representatives
Washington, DC 20515-3220

Dear Congressman Gilman:

I am responding to your request for a review of the concerns about the operation of Indian Point Nuclear Generating Unit No. 3 (IP3) expressed by your constituent, Dr. Marthe Schulwolf, in her letter to you dated June 18, 1995. The principal request was to stop the reopening of the plant.

As you know, IP3 was shut down by the New York Power Authority (NYPA) in February 1993, to correct several hardware issues and to implement plant-wide programmatic improvements. The U.S. Nuclear Regulatory Commission (NRC) has undertaken significant inspection and assessment efforts since the February 1993 shutdown to evaluate NYPA's progress in resolving technical concerns and correcting the underlying root causes of the identified deficiencies. I have enclosed a copy of the NRC's letter of June 19, 1995, which modified the IP3 Confirmatory Action Letter and articulated the NRC's basis for supporting the conclusion that the plant was ready to restart. The plant restarted on June 27, 1995. The information contained in our June 19, 1995, letter addresses the majority of concerns expressed by your constituent.

During the IP3 restart, the NRC implemented an augmented inspection plan to assess NYPA's activities. In addition to the three full-time resident inspectors assigned to the site, additional inspectors provided around-the-clock coverage for the first phase of the startup and maintained an augmented inspection effort for about three weeks. NYPA had committed not to increase reactor power above 40 percent until they had performed a self-assessment of their overall safety performance and notified the NRC staff of the results. On July 6, 1995, NYPA notified the NRC staff of the results of this self-assessment. The staff reviewed NYPA's self-assessment and on the basis of our independent augmented inspection effort, we agreed with the findings. Although our augmented startup inspection effort has ended, I assure you that until IP3 has operated at an improved performance level for a sustained period of time, NRC staff will continue to oversee this facility closely.

NYPA has also committed that, after achieving full-power operation, they will conduct a self-assessment of the restart process and they will present the finding of that self-assessment to the NRC staff in a public meeting. This meeting will be held in the vicinity of the site and open for public observation to be followed by a question-and-answer session allowing the public an opportunity to discuss issues with the NRC staff in attendance.

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Once we determine the details of this meeting, we will publish a notice regarding the time and location.

Your constituent raises several other concerns that I will elaborate on. These issues pertain to (1) emergency preparedness (i.e., the population density surrounding the plant), (2) radioactive waste, (3) site location on the Ramapo fault (i.e., seismic design), and (4) cost effectiveness. With regard to the first issue, it might be helpful to explain the role of emergency planning and preparedness in NRC's defense-in-depth approach to ensuring adequate protection of public health and safety. Briefly stated, this safety philosophy (1) requires high quality in the design, construction, and operation of nuclear power plants to reduce the likelihood of equipment malfunction; (2) recognizes that equipment can fail and operators can make mistakes, therefore requiring safety systems to reduce the chances that malfunctions will lead to accidents that result in the release of fission products from the fuel; and (3) recognizes that in spite of these precautions, serious fuel damage accidents can happen, therefore requiring containment structures and other safety features to prevent the release of fission products off site. The feature of emergency planning added to the defense-in-depth philosophy provides that even in the unlikely event of an offsite fission-product release, reasonable assurance exists that emergency protective actions can be taken to protect the population around nuclear power plants. Detailed planning is in place for the Emergency Planning Zone (EPZ) to facilitate prompt protective actions in the event of a radiological emergency at the Indian Point site.

Each nuclear power plant is required to conduct an annual exercise of its emergency plan. This annual exercise, which is evaluated by the NRC, can involve partial participation by State and local jurisdictions. Once every 2 years, each nuclear power plant is required to conduct a full-participation exercise that is evaluated by both the Federal Emergency Management Agency (FEMA), the lead Federal agency responsible for evaluating emergency plans for areas around nuclear power plants, and the NRC. The last full-participation exercise conducted at the Indian Point site was successfully performed in June 1994. In addition, as part of NRC's restart readiness review process for IP3, FEMA has received periodic updates of the plant's restart readiness and both FEMA and the NRC maintain that reasonable assurance exists that the public can be protected in the event of a radiological emergency at Indian Point.

With regard to the second issue, commercial nuclear power plants were designed with the capability to safely store both high-level waste (spent fuel) and low-level waste on site. IP3 has the capacity to store spent fuel until the year 2008. Under the Federal Nuclear Waste Policy Act, the U.S. Department of Energy (DOE) is responsible for ultimate management of the Nation's high-level waste and is evaluating several options, including interim storage of spent fuel. Until DOE accepts the spent fuel from licensees, the licensees are responsible for storing their spent fuel. As far as a time frame for storing waste on site, as stated in 10 CFR 51.23, the Commission has made a generic determination that, if necessary, spent fuel generated in any reactor can be

stored safely and without significant environmental impacts for at least 30 years beyond the licensed life for operation (which may include the term of a revised or renewed license).

At the IP3 facility, low-level waste is located on site in an interim low-level waste storage facility that has the capacity to store the volume of waste that would be produced over the next 10 years of plant operation. The State of New York is an Agreement State, and as such, has the authority to determine where in that State low-level waste will be permanently stored. It is actively pursuing a location for a permanent storage site for its low-level waste.

With regard to the third issue, as part of the construction permit and operating license processes, the Indian Point site has undergone thorough geologic and seismic investigations and reviews. Contrary to Dr. Schulwolf's implication in her letter to you, there are no active faults at the Indian Point site. As described in the updated Final Safety Analysis Report, the Ramapo fault was thoroughly evaluated and found to be old, inactive, and not a "capable" fault under Appendix A to 10 CFR Part 100 definitions.

With regard to the fourth issue, the NRC maintains regulatory oversight of nuclear facilities for the protection of the public health and safety. In that regard, it does not involve itself with the economic viability of a nuclear power plant. Since IP3 is owned by the State of New York, your constituent may wish to contact New York State and local elected officials with respect to any economic concerns she may have.

I trust this information will be of assistance to you in responding to your constituent's concerns. As requested, I am also enclosing Dr. Schulwolf's letter.

Sincerely,

Original signed by
James M. Taylor

James M. Taylor
Executive Director
for Operations

- Enclosures: 1. NRC restart letter
dated June 19, 1995
2. Dr. Schulwolf's letter
dated June 18, 1995

Distribution: See attached sheet

*See previous concurrence

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DATE	07/21/95	07/20/95	07/ /95	07/21/95	07/21/95

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June 19, 1995

Mr. William J. Cahill, Jr.
Chief Nuclear Officer
New York Power Authority
123 Main Street
White Plains, NY 10601

**SUBJECT: RESTART OF THE INDIAN POINT 3 NUCLEAR POWER PLANT
(MODIFICATION OF CAL-1-93-009)**

Dear Mr. Cahill:

The Indian Point 3 Nuclear Power Plant was shut down by the New York Power Authority (NYPA) on February 27, 1993, to correct deficiencies associated with the anticipated transient without scram mitigation system actuation circuitry (AMSAC). In response to a growing list of performance deficiencies, NYPA management decided to keep the plant shut down while effecting plant-wide programmatic improvements. By letter dated March 26, 1993, NYPA agreed not to restart the plant until NYPA management was satisfied with restart readiness and the Regional Administrator, Region I, agreed with that conclusion. On June 17, 1993, the NRC issued Confirmatory Action Letter (CAL) 1-93-009, which documented NYPA's restart commitments. By letter dated June 12, 1995 (Enclosure 1), you stated that Indian Point 3 was ready for restart.

Significant inspection and assessment efforts have been undertaken by the NRC since the February 1993 shutdown to evaluate NYPA's progress in resolving technical concerns and correcting the underlying root causes of the identified performance deficiencies. These efforts included the establishment and implementation of a NYPA Assessment Panel (NAP); the conduct of numerous individual resident and region-based inspections; the conduct of an NRC special team inspection to determine the root causes for the declining performance; the conduct of NRC team inspections to evaluate the adequacy of the fire protection and motor-operated valve programs; an NRC meeting with you on April 3, 1995, to review the results of NYPA's startup readiness evaluation (SURE); and an NRC Readiness Assessment Team Inspection (RATI) during the period of April 3-21, 1995, to independently evaluate the plant's readiness for restart.

Based on the above, the NRC staff has concluded that sufficient progress has been made to support safe plant restart and power operations. Our detailed assessment to support this conclusion is contained in Enclosure 2 to this letter.

In preparation for restart, NYPA has developed a detailed reactor startup plan to describe the process and self-assessment efforts planned to achieve a safe restart of Indian Point 3. The NRC has also developed an augmented inspection plan and will provide augmented inspection coverage to monitor unit startup and return to power operation. Based on your letter dated June 12, 1995, we understand that Indian Point 3 will not exceed 40 percent reactor power until a self-assessment is performed and the NRC staff is notified of the results. In addition, after achieving full power operation, NYPA again will conduct a

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Enclosure 1

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William J. Cahill, Jr.

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self-assessment and present the results to the NRC staff in a public meeting. Thus, this letter modifies CAL 1-93-009 to reflect your new commitments as discussed above.

In summary, based on the actions you have taken and our independent review of those actions, the NRC agrees with your assessment that the Indian Point 3 plant is ready for restart. If you have any questions regarding our assessment, please contact Curtis Cowgill of my staff at 610-337-5233. We appreciate your cooperation.

Sincerely,

ORIGINAL SIGNED BY:

Thomas T. Martin
Regional Administrator

Docket No. 50-286

Enclosures:

1. NYPA letter dated June 12, 1995 (Readiness to Restart)
2. Indian Point 3 Restart Readiness

William J. Cahill, Jr.

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cc w/encl:

S. Freeman, President
R. Schoenberger, Chief Operating Officer
L. Hill, Jr., Resident Manager, New York Power Authority
W. Josiger, Vice President - Nuclear Operations
J. Kelly, Vice President - Regulatory Affairs and Special Projects
T. Dougherty, Vice President - Nuclear Engineering
R. Deasy, Vice President Appraisal and Compliance Services
R. Patch, Director - Quality Assurance
G. Wilverding, Manager, Nuclear Safety Evaluation
G. Goldstein, Assistant General Counsel
C. Faison, Director, Nuclear Licensing
A. Donahue, Mayor, Village of Buchanan
C. Jackson, Nuclear Safety and Licensing Manager (Con Ed)
C. Donaldson, Esquire, Assistant Attorney General, New York Department of Law
Chairman, Standing Committee on Energy, NYS Assembly
Chairman, Standing Committee on Environmental Conservation, NYS Assembly
E. Nullet, Executive Chair, Four County Nuclear Safety Committee
Chairman, Committee on Corporations, Authorities, and Commissions
Robert D. Pollard, Union of Concerned Scientists
The Honorable Sandra Galef, NYS Assembly
Director, Energy & Water Division, Department of Public Service, State of
New York
A. Song, Assistant Secretary to the Governor
F. Valentino, President, New York State Energy Research
and Development Authority
State of New York, SLO Designee



William J. Cahill, Jr.
Chief Nuclear Officer

June 12, 1995
IPN-95-065

U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555

SUBJECT: Indian Point 3 Nuclear Power Plant
Docket No. 50-286
Readiness to Restart Indian Point 3

- REFERENCES:
1. NYPA letter IPN-93-015, R. E. Beedle to NRC, "Action Plans Regarding the Performance Improvement Outage," dated March 26, 1993.
 2. NRC Letter, Thomas T. Martin to R. E. Beedle, "Confirmatory Action Letter 1-93-009, Restart Commitments," dated June 17, 1993.

Dear Sir:

The New York Power Authority voluntarily shut down the Indian Point 3 Nuclear Power Plant in February 1993 in response to indications of programmatic weaknesses (Reference 1). The NRC issued a confirmatory action letter (Reference 2) which outlined the major milestones to be reached prior to returning Indian Point 3 to service. The confirmatory action letter reflects the Power Authority's commitment in reference 1 to obtain the agreement of the NRC Region I Regional Administrator prior to restart.

The Power Authority has implemented corrective actions and conducted a comprehensive self-assessment program to verify the effectiveness of those corrective actions. Criteria used by the Power Authority for determining the readiness of Indian Point 3 for restart are discussed in Attachment I.

During April and May 1995 the Power Authority performed plant heatup using reactor coolant pump energy, to conduct system testing. Plant cooldown was initiated on May 28 for maintenance activities in preparation for reactor restart. The present schedule will allow reactor restart to begin approximately June 21, 1995 contingent upon the agreement of the NRC Region I Regional Administrator.

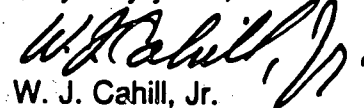
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The startup process for Indian Point 3 includes hold points to assess plant and staff performance. The Power Authority will provide assessment results to the NRC at approximately 30% to 40% power and after reaching full power. The Power Authority will also meet with the NRC after reaching full power to discuss plant and staff performance during the power ascension evolution.

I have reviewed the readiness of Indian Point 3 with the Authority's senior management, including President and Chief Executive Officer S. David Freeman and Chief Operating Officer Robert Schoenberger. We conclude that the actions needed to support the safe restart and continued safe operation of the plant are complete, as further described in Attachment I. The Power Authority anticipates that the maintenance activities identified during hot functional testing will be complete and Indian Point 3 will be ready in all respects for restart.

We request the agreement of the NRC to restart the reactor. Attachment II contains the commitments made by the Power Authority in this submittal. If you have any questions, please contact me.

Very truly yours,



W. J. Cahill, Jr.
Chief Nuclear Officer

Attachments

cc: Mr. Thomas T. Martin
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ATTACHMENT I TO IPN-95-065
READINESS TO RESTART INDIAN POINT 3 NUCLEAR POWER PLANT

I. INTRODUCTION:

The New York Power Authority voluntarily shut down the Indian Point 3 Nuclear Power Plant in February 1993 in response to indications of programmatic weaknesses (Reference 1). The NRC issued a confirmatory action letter (Reference 2) which outlined the major milestones to be reached prior to returning Indian Point 3 to service following the outage. Included in the confirmatory action letter is the condition that the Power Authority obtain the agreement of the NRC Region I Regional Administrator prior to restart.

The Power Authority developed the Restart and Continuous Improvement Plan (RCIP, Reference 3) which describes the objectives, strategies and action plans designed to address the root and contributing causes of the performance decline at Indian Point 3. The RCIP also defined criteria, in three categories, to be used by the Power Authority for determining readiness to restart. The following sections discuss how these criteria for restart have been satisfied.

II. MANAGEMENT ISSUES:

The Restart Action Plans detailed in the RCIP identified specific actions needed to correct and resolve management issues which contributed to the decline in performance at Indian Point 3. Implementation of the Restart Action Plans, during the second half of 1994, was followed by a self-assessment program (Start Up Readiness Evaluation) to verify the implementation and the effectiveness of the corrective actions. The Power Authority notified the NRC of the completion of the Start Up Readiness Evaluation (Reference 4) and invited the NRC to conduct a Readiness Assessment Team Inspection. The Power Authority provided a detailed discussion of the results and conclusions of the Start Up Readiness Evaluation at the public entrance meeting for that inspection on April 3, 1995.

Implementation of the Restart Action Plans and the performance of the self-assessment provide assurance that proper management controls are in place. The RCIP also contains action plans which describe specific steps to be taken after restart to ensure continuous improvement at Indian Point 3.

The Power Authority has developed a procedure which governs the overall startup evolution from the beginning of heatup to the completion of testing at 100% power. The Startup and Power Ascension Procedure (Reference 5) includes provisions for senior management involvement and establishes the methodology for ensuring the safe, controlled and deliberate return to service of Indian Point 3. The startup staffing plan includes a Senior Manager on Shift to provide management representation and oversight during plant startup.

An important aspect of the Authority's performance improvement effort is the continuation of self-assessment activities. The Startup and Power Ascension Procedure includes self-assessment hold points where the effectiveness of management controls and the performance of plant staff and systems are evaluated. At each hold point, a decision is required by the Resident Manager and the Plant Leadership Team (PLT) to continue plant start up. Information to support decision making can include input from Department Managers, the Plant Operations Review Committee (PORC) and Quality Assurance.

III. MATERIAL CONDITION AND EQUIPMENT HEADINESS:

During the outage, the Power Authority completed thousands of work activities and hundreds of modifications to improve the material condition of the plant. As of June 9, there are approximately 250 work requests to be completed prior to reactor restart. Work requests include corrective and preventive maintenance, modification work requests and acceptance tests, and operations surveillance tests. The prerequisite checklist from the Startup and Power Ascension Procedure includes a requirement to verify that applicable work requests are completed prior to criticality.

The Authority's Restart and Continuous Improvement Plan included a System Certification Program to provide a structured process for evaluating systems prior to returning them to service for plant operations. The Authority provided additional information (Reference 6) to the NRC regarding this program in response to a meeting with the NRC on February 1, 1995. There are 74 plant systems/subsystems that are covered by the System Certification Program. Certification of 72 systems is complete and the remaining 2 will be complete prior to reactor restart.

Plant heatup, using reactor coolant pump energy, commenced on April 17, 1995 to perform the equipment and system testing which required plant conditions above cold shutdown. Normal operating temperature and pressure were achieved on May 9, 1995. Plant cooldown was commenced on May 28, 1995 to perform maintenance activities, including replacement of reactor vessel head O-rings. Maintenance work is presently scheduled to be complete to support reactor restart approximately June 21.

IV. REGULATORY ISSUES:

The NRC Restart Action Plan (RAP, Reference 7) identifies 60 technical, programmatic and management oversight issues which must be addressed by the Authority prior to the restart of Indian Point 3. These issues are in addition to the actions specified in the confirmatory action letter. The Authority has provided information to the NRC to resolve these issues.

During the Readiness Assessment Team Inspection (RATI), the NRC identified (Reference 8) six additional issues which required resolution prior to restart. The Authority has completed or will complete prior to reactor restart the following actions:

1. Plant Alarm Response Procedures

The Power Authority reviewed alarm response procedures and identified 21 which required revision. The 21 procedures have been revised, approved by the Plant Operating Review Committee (PORC) and issued for use.

2. Auxiliary Feedwater Pump Building Ventilation

Additional system testing was performed which verified proper operation of the fans and temperature controllers as stated in Reference 8.

3. *Breaker Panel Load Schedules*

The Power Authority has completed the scheduled walkdowns of breaker panels in the power plant and is in the process of updating controlled drawings for use by plant operators. During the walkdowns, undocumented modifications were identified. A review of past operability is being performed and the affected circuits are being disconnected, deenergized, or authorized as temporary modifications or design changes. Actions to update the breaker panel controlled documents and address the undocumented modifications will be completed prior to reactor restart.

4. *Setpoint Change Control*

Corrective actions taken are as stated in Reference 8. Setpoint change request packages were reviewed to identify plant documents needing revision. Documents identified by the review were updated and additional guidance was issued to supplement the setpoint change control procedure.

5. *Control Room Drawings*

Information from 122 Document Change Requests has been incorporated into the control room vital drawings.

6. *Turnover of Design Changes to the Operations Department*

Corrective actions taken are as stated in Reference 8. A representative sample of design changes was reviewed to ensure that plant procedures had been appropriately updated.

The Power Authority uses the Action and Commitment Tracking System (ACTS) to record and track management, technical and administrative issues, including those identified as regulatory commitments. As of June 9 there are 11 ACTS items remaining to be completed prior to reactor restart.

A roving fire watch is in place for penetration seals until evaluation of information used in the fire seal analysis is complete, as committed during the NRC special inspection to review fire protection and 10 CFR 50 Appendix R restart items (Reference 9). Restart ACTS items related to fire protection and 10 CFR 50 Appendix R are complete and fire protection related restart work requests will be complete prior to restart.

V. CONCLUSION:

The Authority concludes that corrective actions needed to support the safe restart and continued safe operation of the plant are complete. This conclusion is based on:

Successful implementation of the Authority's Restart and Continuous Improvement Plan (RCIP) Restart Action Plans.

- Completion of the Start Up Readiness Evaluation self-assessment program.
- Resolution of regulatory issues identified as requirements for criticality.
- Successful plant heatup from cold shutdown to normal operating temperature and pressure for system testing and implementation of assessment hold points.
- The use of established administrative tools to track the completion of work activities and other prerequisites required prior to commencing reactor restart.

The Power Authority anticipates that Indian Point 3 will be ready in all respects for restart approximately June 21, 1995 pending completion of work activities summarized in Sections III and IV.

VI. REFERENCES:

1. NYPA letter IPN-93-015, R. E. Beedle to NRC, "Action Plans Regarding the Performance Improvement Outage," dated March 26, 1993.
2. NRC letter, Thomas T. Martin to R. E. Beedle, "Confirmatory Action Letter 1-93-009, Restart Commitments," dated June 17, 1993.
3. NYPA Restart and Continuous Improvement Plan for Indian Point 3, Revision 1, dated November 4, 1994.
4. NYPA letter IPN-95-036, W. J. Cahill, Jr., to NRC, "Start Up Readiness Evaluation," dated March 16, 1995.
5. Indian Point 3 Procedure SUP-95-01, "Startup and Power Ascension Procedure."
6. NYPA letter IPN-95-019, L. M. Hill to NRC, "System Certification Program," dated February 23, 1995.
7. NRC letter, R. W. Cooper to William Cahill, Jr., "Revision and Status Update No. 4 of the Indian Point 3 Restart Action Plan," dated March 8, 1995.
8. NRC letter, R. W. Cooper to L. Hill, Jr., "NRC Readiness Assessment Team Inspection (RATI) Report No. 50-286/95-80," dated May 25, 1995.
9. NRC letter, J. T. Wiggins to L. M. Hill, "Special Inspection to Review Fire Protection and Appendix R Restart Items, Inspection Report No. 50-286/95-81," dated May 11, 1995.

ATTACHMENT II TO IPN-95-065
COMMITMENT LIST

Commitment Number	Commitment Description	Due Date
IPN-95-065-01	Provide restart self-assessment results to NRC at approximately 30% to 40% power.	Prior to continuing power ascension
IPN-95-065-02	Provide restart self-assessment results to NRC after reaching full power and meet with NRC to discuss plant and staff performance during the power ascension evolution.	Following operation at 100% power

ENCLOSURE 2

INDIAN POINT 3 RESTART READINESS

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1.0 BACKGROUND

The Indian Point 3 Nuclear Power Plant, owned and operated by the New York Power Authority (NYPA), is a Westinghouse four-loop, 965 megawatt (electric) pressurized-water reactor located 24 miles north of New York City.

The NRC's Indian Point 3 SALP report for the period ending August 1992 indicated an overall decline in performance. Although the licensee continued to display superior performance in the radiological controls functional area, the SALP noted weaknesses in the operations, maintenance/surveillance, emergency preparedness, engineering/technical support, and safety assessment/quality verification functional areas. The most significant weaknesses were in the engineering/technical support functional area. In general, the overall weak performance resulted from inadequate management oversight. Specifically, NYPA was not effective in implementing corrective actions for both long-standing and newly emerging issues. The weak performance was also evidenced by the escalated enforcement record of Indian Point 3. Between May 1992 and July 1993, Indian Point 3 received eight Severity Level III violations, with civil penalties totaling \$762,500. In January 1993, NYPA submitted a Performance Improvement Plan (PIP) for Indian Point 3 to the NRC. The plan addressed NYPA's self-assessment efforts and the performance issues noted in the SALP report.

On February 27, 1993, NYPA shut down Indian Point 3 to correct deficiencies associated with the anticipated transient without scram mitigation system actuation circuitry (AMSAC) system and with programmatic weaknesses in the surveillance testing program. However, the growing number of performance deficiencies identified by NRC and licensee personnel prompted NYPA to keep the plant shutdown while effecting plant-wide programmatic improvements. By letter dated March 26, 1993, NYPA committed to make necessary programmatic improvements before resuming power operations. In addition, NYPA officials committed not to restart the plant until it was satisfied with restart readiness and until the NRC agreed with this conclusion.

In May 1993, the NRC conducted a Special Inspection Team at Indian Point 3 and again confirmed that significant fundamental weaknesses in licensee programs and staff performance existed at the plant. As stated in the inspection report, "The team determined that the root causes for the declining performance of Indian Point Unit 3 were weak managerial processes, controls and skills." The team also identified two contributing causes. First, NYPA failed to identify and resolve underlying root causes for problems identified by the Quality Assurance (QA) organization. Second, NYPA's self-assessment process was ineffective because the function was fragmented and selectively applied and the onsite and offsite oversight committees were narrowly focused.

At the Senior Management Meeting on June 15 and 16, 1993, the plant was added to the list of facilities which, while still authorized to operate by the NRC, warranted increased NRC headquarters and regional oversight because of declining performance (i.e., the NRC's "watchlist"). On June 17, 1993, the NRC issued Confirmatory Action Letter (CAL) 1-93-009 which documented the restart commitments made by NYPA.

Over the succeeding months, several PIP action plans were completed by NYPA. However, NYPA concluded that the existing programs and efforts to improve the performance of Indian Point 3 were not sufficiently effective to justify returning the plant to service, nor were they effective in creating a foundation for long-term, sustained improvement. Significant performance problems continued to occur even though programs and process improvements designed to correct those deficiencies had been implemented. On December 17, 1993, the NRC met with NYPA to discuss the progress and status of the PIP. In a letter to NYPA dated December 22, 1993, the NRC documented its concern regarding the effectiveness of the PIP as an integrated plan for overall performance improvement at the station, in light of recurring plant events and procedural violations.

In January 1994, NYPA senior management selected a team of plant and corporate personnel to perform a root cause analysis for the decline in performance at both Indian Point 3 and the NYPA corporate office, and to develop a comprehensive and integrated Restart and Continuous Improvement Plan (RCIP). The RCIP project was completed in May 1994 and by letter dated May 27, 1994, was formally submitted to the NRC for review.

In August 1994, the NRC's NYPA Assessment Panel (NAP) completed its initial review of the RCIP and concluded that if properly implemented, the RCIP should correct the fundamental issues responsible for the performance decline at Indian Point 3. This conclusion was documented in an NRC letter dated August 8, 1994. It appeared that the PIP's shortcomings had been assessed by NYPA and had been corrected in the RCIP:

2.0 NYPA ASSESSMENT PANEL FORMATION

A significant NRC effort was required to follow licensee actions to correct the growing number of deficiencies in late 1992. Therefore, in January 1993, the NRC expanded the already existing FitzPatrick Assessment Panel into the NAP. This action would allow the NRC to continue to monitor FitzPatrick as well as closely follow NYPA's implementation of the Indian Point 3 improvement program and to assist in the coordination of NRC resources for overall performance monitoring and assessment. The NAP is comprised of personnel from both Region I and NRC headquarters. The NAP subsequently assumed the additional role as a restart panel. The responsibilities of the NAP relative to Indian Point 3 are to:

- monitor and assess the licensee's performance
- coordinate the inspection program for the facility
- recommend and coordinate enforcement activities
- assess the adequacy of the Performance Improvement Program (and subsequently the RCIP) and monitor its implementation
- review the licensee's response to inspection findings and assess the adequacy of associated corrective actions
- identify, evaluate, and track restart issues
- provide a plant restart recommendation and basis after NYPA completes its restart program

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In July 1993, the NAP developed the Indian Point 3 Restart Action Plan (RAP). The RAP, which was developed from NRC Inspection Manual Chapter 0350, "Staff Guidelines for Restart Approval," established guidance for the NRC to follow and listed specific items that the NRC must complete before concluding that Indian Point 3 was ready to restart. The RAP consisted of three parts. Section 1, "Restart Process Checklist," listed the steps of the NRC overall review process for Indian Point 3 restart. Section 2, "Restart Issues Checklist," listed plant-specific restart issues and the criteria used to develop these issues. Section 3, "Restart Readiness Assessment Checklist," contained "Areas for Assessment" covering items associated with the performance decline at Indian Point 3, its ultimate shutdown and other matters that should be evaluated before restart because of the length of the shutdown. Each assessment area contained a list of "Applicable Items," which was used in part as guidance for developing the inspection plan for the Readiness Assessment Team Inspection (RATI). Enough items were selected in each area to allow a sound assessment of readiness for restart.

3.0 NRC ASSESSMENT OF RESTART READINESS

3.1 INTRODUCTION

As previously stated, the NAP developed a comprehensive restart readiness evaluation process to ensure that required restart issues were thoroughly reviewed and assessed by the NRC before plant restart. The Indian Point 3 RAP was the guiding document used to assess restart readiness. In addition, the NRC conducted a RATI whose principal objective was to perform an in-depth evaluation of the degree of readiness of NYPA administrative controls, programs, plant equipment, and personnel to support safe restart and operation of Indian Point 3. The RATI assessed performance in the areas of Management Programs/Independent Oversight/Self-Assessment, Operations, Maintenance and Surveillance, and Engineering and Technical Support. The RATI also closed six Indian Point 3 RAP restart issues. The preliminary results of the RATI were discussed at an exit meeting, open for public observation, on April 27, 1995. During the public participation portion of this meeting, no new issues were raised that impacted the NRC's restart readiness assessment. The RATI inspection report was issued on May 25, 1995.

The following sections address the areas that were assessed by the NRC to determine if Indian Point 3 was ready for restart. The areas assessed are consistent with the Indian Point 3 RAP and NRC Inspection Manual Chapter 0350.

3.2 NRC RESTART ISSUE CLOSURE

Section 2 of the Indian Point 3 RAP contained 60 technical, programmatic, and management oversight issues which required resolution prior to restart. Fifty-four of these issues were inspected, closed, and documented in various NRC inspection reports. Six issues were specifically assigned to and closed by the RATI. These latter issues included operations effectiveness, maintenance effectiveness, management expectations, QA effectiveness, backlog reviews, and NYPA staff attitude with respect to performance improvement. The Indian Point 3 RAP lists each issue, the inspection report(s) where resolution of the issues are discussed, and the NAP meeting number and date when closure

of each issue was confirmed. The inspection effort required for restart issue closure was above and beyond the normal NRC site inspection program that continued during the shutdown.

Final resolution of each restart issue was confirmed by the NAP during regularly scheduled meetings. Therefore, the NRC concludes that all restart issues are closed.

3.3 READINESS ASSESSMENT TEAM INSPECTION RESULTS

The RATI reviewed Indian Point 3's performance in the areas of Management Programs/Independent Oversight/Self-Assessment, Operations, Maintenance and Surveillance, and Engineering and Technical Support. The RATI consisted of 10 inspectors plus a team leader and included representatives from all four NRC regional offices and headquarters. The majority of the onsite inspection activities took place between April 3 and 21, 1995, with certain activities occurring prior to these dates. Inspection activities were conducted during day shifts, off shifts, and weekends, and over 1000 hours of direct inspection of plant activities was accumulated. During the conduct of the inspection, the team identified six new issues that were considered appropriate for resolution by NYPA prior to restart of the facility:

(1) Plant Alarm Response Procedures

The team identified that several alarm response procedures did not reference the alarm actuating devices or alarm setpoints. A problem was also noted regarding the failure to revise an alarm response procedure following a modification.

(2) Auxiliary Feedwater Building Ventilation Fans

The team identified that the Auxiliary Feedwater Pump Building temperature controllers were not set in accordance with the system drawings and the temperature controllers and fans were not routinely functionally tested.

(3) Breaker Panel Load Schedules

The team noted that the load schedules located inside electrical distribution panels were not controlled documents and did not match the system drawings. The load schedules posted inside the panels did not reflect plant modifications that had added or removed loads.

(4) Setpoint Changes

The closeout process for setpoint changes was not clearly proceduralized. The setpoint change control procedure and process did not ensure that all procedures and documents affected by a setpoint change were revised.

(5) Drawing Changes

The team noted that 122 Requests for Document Change (RDC) were backlogged against the "Type A" (control room vital) drawings. The team concluded that the information provided in the RDCs should be available to the operators.

(6) Design Change Closeouts

The team found that a design change turnover had been completed by the responsible engineer without the adequate review or concurrence by the Operations Department as required by plant administrative procedures. The team concluded that a review of similar design change closeout packages should be conducted to ensure that plant procedures had been appropriately updated.

As discussed in NYPA's letter dated June 12, 1995, each of these issues has been or will be completed prior to restart. The NRC has confirmed that each of these issues has been or will be adequately addressed. Thus, there are no outstanding RATI issues affecting restart of the facility.

RATI Overall Conclusion

The team determined that a common understanding of management expectations and a favorable atmosphere for problem identification existed at Indian Point 3. Management expectations regarding safety had been clearly communicated to the plant staff. The Quality Assurance organization had taken appropriate measures to implement an effective Quality Assurance program. The offsite and onsite review committees were providing quality oversight of important processes and programs. The problem identification process and the corrective action program were sufficiently implemented to identify and resolve plant deficiencies in a timely manner. Self-assessment programs have improved over the past year.

During the period that the team was on the site, the operators maintained the plant in a safe condition. Command and control of operational activities was generally good. Operators were cognizant of plant conditions and control room annunciators. In general, operations procedures were technically adequate, administrative requirements were clearly delineated and proceduralized, and adequate processes were in place to control plant configuration.

The maintenance staff demonstrated a conservative approach to the performance and completion of maintenance activities. Plant and system material condition was good. Identified plant deficiencies were properly prioritized and scheduled to support resolution in a timely manner. Implementation of the preventive maintenance and the surveillance testing programs was also good.

The RATI determined that the plant material condition of safety systems and components was good. Further, the RATI concluded that planning and maintenance programs and processes were adequate to support a safe plant restart. Based on observations of the engineering organization, the RATI concluded that it was capable of providing timely support for emergent

technical issues; additionally, the engineering and technical support staff, procedures, programs, and processes were in place to support a safe restart and continued plant operation.

The major engineering organizations were available to the plant and their support to the station was effective. Both the Design Engineering and Technical Services organizations are taking appropriate steps to control their backlogs of work and the backlogs have been adequately screened for plant restart issues. The permanent and temporary modification processes were adequate to ensure that plant safety margins were not reduced. Safety evaluations contained adequate technical detail that supported reasonable conclusions.

Based on the above, the NRC concludes that staffing, plant equipment, programs and processes are adequate to support safe restart and continued operation of Indian Point 3.

3.4 RESTART READINESS ASSESSMENT CHECKLIST

As previously discussed, Section 3 of the Indian Point 3 RAP contained six "Areas for Assessment," involving issues broader than specific restart issues, that the NRC staff needed to assess before concluding that the plant was ready to restart. The six areas for assessment are discussed below. The information used by the NRC staff to develop its conclusion was obtained, as applicable, from (1) resident and specialist inspections (2) inspections assessing restart issues (3) the RATI (4) NAP activities and (5) NRC management visits.

3.4.1 ROOT CAUSE IDENTIFICATION AND CORRECTION

In mid-1992 NYPA recognized that the performance of Indian Point 3 was declining. An assessment was conducted to identify the causes of performance problems and to develop an improvement program. As previously discussed, the PIP was developed and subsequently submitted to the NRC on January 14, 1993. However, subsequent NRC inspections and continued weak performance in some areas questioned the usefulness of the PIP as an integrated plan for overall performance improvement of the station. NYPA performed a second review and finalized its list of root and contributing causes in the RCIP.

NYPA found six primary root causes:

- Management did not demonstrate the leadership, interpersonal skills, or the credibility to provide a work environment that encouraged open communication, teamwork, innovation, and trust.
- Senior management did not establish the vision or provide the direction to drive the organization's agenda.
- Issue identification, assessment, and problem resolution processes were not well managed and did not result in lasting correction of issues and problems.
- Management did not establish clear performance expectations, provide effective coaching and feedback, or hold people accountable for meaningful performance results.

- Management of change was ineffective.
- Roles and responsibilities were not sufficiently defined to support effective organizational performance.

NYPA found six contributing causes:

- NYPA management did not employ industry experience to establish and implement effective performance standards.
- Information and direction were unclear and often not communicated effectively.
- Policies and procedures were inadequate to support acceptable station performance. They were overly complex, contained technical inaccuracies, and were ineffectively enforced.
- The quality and rate of completion of work by the maintenance function did not support plant needs.
- Information management systems did not support management needs.
- Engineering procedures and products did not effectively support plant operations and maintenance.

Based on the above findings, NYPA developed a comprehensive, long-term RCIP in May 1994. The plan was designed to improve overall performance at the plant and corporate office by correcting the twelve root and contributing causes. NYPA also established a Restart Management Team (RMT) to oversee the RCIP. The RMT, which consisted of the senior managers from NYPA's Nuclear Generation Department, was chartered with directing actions necessary to restart Indian Point 3. The RCIP was revised in November 1994; however, this revision did not change the 12 root and contributing causes as delineated in the original RCIP.

Corrective actions (i.e., action plans) to address the 12 root and contributing causes are addressed in the RCIP. The NRC's NAP conducted a thorough review of the RCIP. In a letter to NYPA dated August 8, 1994, the NRC concluded that the RCIP was a comprehensive plan that addressed the root causes for the previous decline in plant performance, provided appropriate corrective actions, and provided a reasonable process for assessing the effectiveness of those corrective actions.

In a management meeting open for public observation held at the Indian Point 3 site on November 17, 1994, NYPA presented the status of its improvement program, the RCIP, and the results achieved to date. NYPA concluded that progress was being made, but further efforts were warranted. Between December 5 and 16, 1994, NYPA performed a Startup Evaluation for Readiness Team (SERT) inspection. The purpose of this self-assessment was to determine, through evaluation of objective evidence, the effectiveness of corrective actions and improvements relative to restart readiness of Indian Point 3. The SERT concluded that additional work was needed to prepare Indian Point 3 for restart, but that NYPA management had made significant improvements in both plant and corporate activities during the shutdown. These significant improvements included improved programs and processes, increased employee involvement in decision making, improved corporate support, improved employee morale and confidence in management, and improved independent oversight. However, additional effort would be required to make a number of areas fully

effective and capable of supporting restart. The NAP concluded that the SERT took a critical look at NYPA's programs and made appropriate recommendations for improvement.

Over the next several months, NYPA's Start Up Readiness Evaluation (SURE), which is described in the RCIP, continued an organized framework of assessments and reviews necessary to demonstrate that Indian Point 3 was ready for restart. NYPA's letter dated March 16, 1995, informed the NRC that the SURE for Indian Point 3 had been completed; the letter also delineated some items that needed to be addressed prior to restart and requested the NRC to perform the Readiness Assessment Team Inspection.

The NRC staff reviewed the licensee's Startup Plan and the SURE program, including the associated elements of the System Certification, Operational Readiness Review, Startup Evaluation for Readiness Team (SERT), and Quality Assurance Department Oversight. This review was conducted to ensure that NYPA had adequately assessed and resolved outstanding issues and had developed a detailed plan for conducting a plant restart. The NRC staff concluded that the startup plan was detailed and thorough and provided appropriate oversight for plant restart; the SURE program provided plant management an appropriate tool for identifying restart issues, and plant management had provided sound oversight in the resolution of these issues.

The NRC staff reviewed the Deviation Event Report (DER) process to determine the effectiveness of the program in identifying, prioritizing, tracking, and resolving the root causes of problems. The NRC staff interviewed cognizant plant staff and conducted a review of open and closed DERs. The NRC staff concluded that the DER process was being adequately implemented to identify and resolve plant deficiencies in an effective and timely manner.

The NRC staff assessed the effectiveness of the QA organization to give plant management feedback on overall plant performance. The NRC staff conducted interviews, reviewed audit reports and findings, observed several QA meetings, and assessed the open QA findings to ensure that items important to support plant restart had been scheduled for completion prior to restart. The NRC staff concluded that the QA organization had taken the appropriate measures to establish an effective QA program at Indian Point Unit 3, and station management's commitment to establish the QA Department as an integral oversight organization has enhanced its effectiveness.

The NRC staff reviewed recently conducted self-assessment activities in the areas of operations, maintenance, and training. The self-assessment programs have improved over the past year. The currently implemented program provides the basic performance data necessary to identify significant performance issues, and management is using this information appropriately to identify and resolve problems. The NRC concluded that these programs have been sufficiently implemented to support safe startup.

Overall, by implementing the RCIP, NYPA has made significant changes to promote both short- and long-term improvements in performance. Corporate management has provided substantial resources and oversight. The NRC staff will continue to monitor the implementation of this improvement program via

the NRC inspection program and through periodic meetings with the licensee. The NAP will continue to be the focus for NRC oversight of the Indian Point 3 facility until NYPA demonstrates sustained performance improvement.

3.4.2 LICENSEE MANAGEMENT

NYPA has demonstrated a serious commitment to improvement and has provided the management attention and resources necessary to implement its RCIP effectively. NYPA has also made major corporate and site organizational and personnel changes designed to improve performance at the facility.

Since the shutdown in early 1993, the following changes occurred within the NYPA corporate organization: new Chairman of the Board; new President and Chief Executive Officer; new Chief Nuclear Officer; new Vice President of Appraisal, Compliance and Regulatory Affairs (Quality Assurance); new Vice President Engineering; and establishment of a Chief Operating Officer position.

Establishment of the Regulatory Affairs and Special Projects corporate department occurred in October 1994 when the NYPA licensing organization was restructured. The new licensing organization has one corporate director, and each site (Indian Point 3 and FitzPatrick) has one licensing manager reporting to the Vice President Regulatory Affairs and Special Projects. These positions were filled with persons from outside as well as within the NYPA organization to provide site and corporate management with a broader industry perspective in operating and managing Indian Point 3. Observations to date indicate that this organization has been effective in supporting the licensee's improvement efforts.

The following major management changes occurred at the site: new Resident Manager; new General Manager of Support Services; new General Manager of Operations; new General Manager of Maintenance; establishment of a Site Engineering Director; and elevation of the Training Manager position to a General Manager of Training.

The NRC has seen significant improvement in management oversight, direction and support. Management has provided resources for extensive plant modifications, and has increased staffing in operations, engineering, and licensing. Site and corporate management involvement in plant activities and operational concerns has clearly improved, and so has the communication of management expectations and standards of performance to the plant and corporate staff. Improvements in planning and scheduling of activities have been evident. Managers fostering improved accountability, responsibility, and attention to detail have been observed. NYPA management has encouraged improved horizontal and vertical communications and teamwork at the site and between the site and the corporate office. NYPA management has also established a work environment conducive to problem identification and has established improved programs to identify, prioritize, and resolve significant issues. Programs for root cause analysis and the evaluation and utilization of operating experience have been upgraded.

Through developing and effectively implementing the RCIP, NYPA has demonstrated its ability to successfully evaluate performance and to factor the results of those evaluations into improved program and personnel performance. The QA program at the site has been substantially improved and is being used as an effective management tool. Satisfactory performance of the onsite Plant Operations Review Committee (PORC) and the offsite Safety Review Committee (SRC) has been demonstrated.

As previously stated, NYPA developed a startup plan to describe the process and management review necessary to support a safe organized return to service of the plant. The plan describes the physical and administrative requirements for startup. The plan also describes approaches for self-assessments of the startup process. As part of the plan, recommendations will be made to the Resident Manager for the continuation of plant startup when milestones are completed and activities leading up to these milestones are assessed. The plan also requires a senior manager to be assigned to each shift to provide continuous management presence and to supplement the shift supervisor during the startup. The NRC found that the plan was comprehensive and contained sufficient checks and balances for decision making, feedback of information, and sound judgements for a safe plant startup.

Overall, the NRC staff concludes that NYPA management has clearly communicated its expectations to the staff, is providing appropriate direction and oversight of plant activities, and is ready to support restart of the unit.

3.4.3 PLANT AND CORPORATE STAFF

The NRC staff conducted numerous interviews of plant staff and observed meetings to ensure that plant safety issues were being communicated to the proper levels of management. The NRC assessed the licensee's effectiveness in communicating management expectations to the plant staff in the areas of problem identification, procedure adherence, and work safety practices. Based on the common understanding of management expectations and the favorable atmosphere for problem identification, the staff determined that the management team adequately provided direction to the NYPA plant staff.

In addition to routine inspection observations, the NRC observed operations activities during plant heatup. The NRC observed all shifts, including weekend and backshift activities. The NRC assessed operator performance regarding administrative procedures and management expectations. The staff found that operators maintained the plant in a safe condition.

The NRC staff reviewed and assessed the quality of plant operations procedures to ensure the procedures were adequate to conduct a safe plant restart. A sample of operations procedures were found to be technically adequate.

The NRC staff assessed operator control board awareness and annunciator response on all shifts. The NRC also assessed the quality of the Shift Manager and Control Room Supervisor command and control, and operations management involvement in day-to-day plant operation. The NRC found the quality of command and control to be generally good. The NRC observed that teamwork in the control room was good, as evidenced by various shift members

identifying and correcting problems. Operators were cognizant of plant conditions and control room annunciators. Operations management was actively involved in operational activities.

The NRC staff verified that operator training and qualifications were current and that key plant changes made during the performance improvement outage were addressed in operator training. The staff concluded that operator requalification training was up to date. Operator training had been conducted on plant modifications implemented during plant shutdown and the operators were knowledgeable of important plant changes. The NRC staff concluded that specialized operator training to support restart activities was adequate. The staff considered the plant fire brigade to be adequately trained and prepared to effectively respond to plant fires.

As a result of the NYPA engineering reorganization, Design Engineering was created and design engineering personnel and the design authority were relocated to the site from the White Plains Office. The reorganization is ongoing. Observations to date indicate that the engineering reorganization and transition are being appropriately managed.

Overall, the support provided to the plant by the major engineering organizations was effective. Design Engineering response to emergent issues was technically sound and timely. System Engineering response was adequate and was improving as the system engineers gained plant experience. The availability of engineering personnel to the rest of the station was good. Both the Design Engineering and Technical Services organizations were taking appropriate steps to control their backlogs. The transition during the engineering reorganization appeared to be appropriately controlled.

The NRC staff noted that both System Engineering and Design Engineering staff and management were involved in the plant outage meetings and the Outage Work Scope meeting, providing support to other plant organizations. Both System Engineering and Design Engineering staff were supplying around-the-clock coverage for critical activities.

Overall, the NRC staff concludes that NYPA operations staff and support staff are ready for Indian Point 3 restart.

3.4.4 PHYSICAL READINESS OF THE PLANT

During this outage, NYPA has implemented many significant hardware upgrades and programmatic improvements. Examples of systems impacted by these improvements included the AMSAC system, the emergency diesel generators, the control room air conditioning system, the instrument air system, the safety-related motor-operated valves, the power-operated relief valves, and the service water electrical cable duct bank. In addition, thousands of corrective maintenance work items were completed during the shutdown period. Extensive inspection and tours by NRC indicate that overall plant material condition has substantially improved. The overall plant material condition is satisfactory to support restart and continued operation of the facility.

The NRC staff reviewed licensee mechanisms in place to ensure that the status of plant safety-related equipment was being adequately controlled. The NRC staff concluded that Operations has processes in place to control plant configuration for safe plant operation. Operators were cognizant of system status that required entry into technical specifications limiting conditions for operations. Operations control room deficiency and operator work-around programs were good initiatives that were successfully tracking and prioritizing these issues. The protective tagging program effectively tracked the status of plant equipment. In addition, the staff found that protective tags were installed on the correct equipment and that information on the tags was correct. The NRC independently verified that selected systems were appropriately aligned for the current plant condition. The inspectors further verified that the licensee had completed a comprehensive system alignment verification.

The NRC staff reviewed the planning area by conducting interviews, reviewing planned maintenance work requests, and observing work. The staff reviewed the backlogs of corrective and preventive maintenance and observed various meetings to verify that unresolved maintenance issues were assigned appropriate priorities and to ensure that items requiring resolution prior to plant restart were properly scheduled. A work planning process has been developed and is being implemented by the licensee. Although the process is adequate, NYPA is enhancing it to make it more effective.

The NRC staff observed ongoing maintenance activities to verify that these activities were being properly controlled through the use of established procedures, approved technical manuals, drawings, and job-specific instructions. The staff considered the conduct of maintenance activities to be adequate to support plant startup.

The NRC staff conducted several plant tours and system walkdowns to determine if hardware problems had been identified. The staff also reviewed the overall condition of several safety significant systems. Plant material condition was acceptable to support startup.

The NRC staff reviewed the adequacy of preventive maintenance procedures, observed the performance of preventive maintenance (PM) in the field, and assessed coverage of the program with regard to incorporating vendor recommendations, scheduling and deferral, and review and trending of results. The staff determined that NYPA's implementation of a preventive maintenance program was adequate. A strength noted was that only a few PMs were deferred beyond their planned performance date and those that were deferred were adequately evaluated and justified.

The NRC staff reviewed surveillance scheduling and procedures, observed the performance of tests, and reviewed test results to verify that the surveillance program was being conducted in accordance with requirements. The staff determined that the surveillance program was being conducted in an acceptable manner.

The NRC staff reviewed the licensee's modification program and reviewed a sample of permanent modifications. The review compared the design change to the design bases, considering the potential impact of the design on other equipment and its compliance with appropriate procedures. The NRC also reviewed a sample of modification acceptance tests (MATs) to determine if they satisfactorily proved the proper operation of the associated modification. The NRC staff concluded that engineering processes were adequate to ensure that plant safety margins were not reduced. The technical bases and associated documentation for the modifications were adequate. The development and performance of MATs were adequate and demonstrated the proper operation of the associated modification.

The NRC also reviewed the temporary modification (TM) process, including administrative procedures and a sample of TMs. At the end of April 1995, there were 22 installed TMs, seven of these were installed on safety-related systems; two are planned for removal prior to startup, one will be removed after completion of full power testing, and three are scheduled for replacement before July 1995. The NRC concluded that administrative procedures were in place to acceptably control the development, review and approval, installation, and removal of TMs. Overall the NRC concluded that the temporary modifications were acceptable for restart.

All pre-1990 safety-related modifications have been reassessed by NYPA to identify differences between the as-built plant conditions and the plant drawings. Additional controls were added to the modification process in 1990 to prevent undocumented deviations from the modification drawings. The licensee redlined all vital control room drawings with changes in preparation for restart. The NRC staff concluded that the plant's configuration control was acceptable.

The NRC reviewed backlogs in the Technical Services and Design Engineering organizations. This review included those items in the backlog that would not be completed prior to restart and the licensee's method for determining that the item need not be completed prior to restart. The NRC also evaluated the licensee's prioritization of these items. The NRC staff determined that the backlogs had been appropriately screened and prioritized. Both the Technical Services and Design Engineering organizations were taking appropriate steps to control their backlogs.

The NRC staff reviewed the industry operating experience program to ensure that lessons learned were being appropriately incorporated in plant programs and staff training and to verify that appropriate items had been resolved prior to plant restart. The staff concluded that the review process for industry experience was adequate. The staff also noted that the backlog of reviews was manageable. The staff determined that the backlog had been adequately screened by the licensee for plant restart issues.

3.4.5 COMPLIANCE WITH REGULATORY REQUIREMENTS

The NRC staff has issued and granted all applicable license amendments, exemptions, and reliefs. The actions specified in Confirmatory Action Letter 1-93-009 have been satisfied. All significant enforcement issues to date have

been resolved. The NAP also reviewed all open allegations and concluded that none affected restart of the facility. There are no outstanding issues in this area relative to the restart of Indian Point 3.

3.4.6 COORDINATION WITH INTERESTED AGENCIES/PARTIES

The Federal Emergency Management Agency (FEMA) was notified of the pending restart of Indian Point 3 via telephone on June 16, 1995, and FEMA was not aware of any offsite emergency preparedness issues that could potentially affect restart of the plant. The New York State Liaison Officer was notified of the pending restart of Indian Point 3 by the Region I State Liaison Officer via telephone on June 16, 1995, and various government and local public officials were notified in a meeting on June 16, 1995. Individuals from these various agencies identified no issues that would preclude restart of the plant.

The NRC has provided several opportunities, after NRC meetings with the utility, for the public to comment on the possible restart of Indian Point 3. Subsequent to each of these meetings, the staff has reviewed issues of concern, as well as the bases for their position; the staff has concluded that substantive issues that could delay restart do not exist.

4.0 RESTART COORDINATION

In a letter to the NRC dated May 27, 1994, NYPA committed to perform a detailed SURE before restart. The NRC recommended that NYPA complete its SURE before the NRC performed its RATI. The SURE consisted of a SERT inspection, an Operational Readiness Review, Quality Assurance Oversight, and System Certification. By letter dated March 16, 1995, NYPA notified the NRC that the SURE had been completed successfully and that the facility was ready for the NRC RATI. At the public entrance meeting for the NRC's RATI on April 3, 1995, NYPA presented the results of its SURE.

In the licensee's letter dated June 12, 1995, NYPA informed the NRC that Indian Point 3 was ready to be restarted and delineated NYPA's power ascension oversight plan. The licensee plans to have its Restart Management Team (RMT) review activities at various plateaus during power ascension. The RMT will then make recommendations to the Resident Manager regarding readiness to continue to the next plateau. NYPA intends to have a member of the Restart Management Team available 24 hours a day during plant startup; additionally, a senior manager is also to be assigned to each shift until reactor power reaches 100 percent.

The NRC has developed an augmented inspection plan to assess the Indian Point 3 restart. In addition to the resident inspectors assigned to the site, additional inspectors will provide on-shift, around-the-clock coverage, starting 24 hours before the planned reactor startup and continuing for several days. During this time, among other NRC inspection activities, NRC inspectors will review NYPA's self-assessments, Quality Assurance assessments, and support to operations during emergent issues. Following completion of

around-the-clock coverage, the NRC will continue to provide augmented coverage of the power ascension process, including major evolutions as they occur, until the plant stabilizes at 100 percent power.

5.0 OTHER ISSUES

5.1 LATEST SALP

The current SALP assessment period, which was originally scheduled to end on November 17, 1993, was suspended until 6 months after plant restart. The bases for the suspension were that the NAP will continuously oversee the plant under the provisions of Manual Chapter 0350, and that plant restart will be monitored in accordance with the NRC's approved IP3 Restart Action Plan. The latest SALP report is over 2 years old and does not reflect the current status of the facility.

5.2 FIRE BARRIER PENETRATION SEALS

In response to NRC inspection Unresolved Item 50-286/93-24-03, "FIRE SEAL ANALYSIS - Self Ignition Temperature of Cable Insulation as it Relates to the Design of Fire Seals," NYPA initially concluded that the self-ignition temperature of the cable insulation is not less than 785°F and that this temperature is sufficiently above the 700°F maximum allowable unexposed surface temperature criteria for penetration seal designs at Indian Point 3. This conclusion was based on generic cable flammability data published by the Electric Power Research Institute (EPRI). The cables at Indian Point 3 are "similar" to the cables referenced in the EPRI reports, but NYPA could not provide reasonable assurance that the cables specified in the EPRI report are truly representative of the cables installed at Indian Point 3. Because of the broad range in flammability data for cables of "similar" construction and the different test protocols for obtaining the flammability data, the NRC staff was concerned that the generic cable data used in NYPA's fire seal analysis might not adequately represent the cables installed at Indian Point 3. Therefore, this item remains unresolved.

NYPA is doing research, including actual testing if needed, to verify the applicability of the generic information used in its evaluation. NYPA has implemented fire watches in all plant areas where the penetration seals in question are located. These compensatory measures, coupled with other elements of NYPA's fire protection program, ensure an adequate level of fire safety; therefore, the NRC staff has concluded that this issue has low safety significance. Thus, the NRC staff has determined that NYPA's actions are acceptable for restart and subsequent operation until the penetration seal issue is fully resolved.

6.0 CONCLUSION

The NRC has thoroughly assessed the physical condition of the plant, the performance of NYPA's plant and corporate staffs, NYPA's corporate and plant management oversight, and the licensing status of the plant. The NRC has found all of these areas to be adequate to support restart and operation. The NRC also found that NYPA's RCIP is a comprehensive plan that addressed the

root causes and corrective actions for the previous decline in plant performance and provided a reasonable process for assessing the effectiveness of those corrective actions. Furthermore, the NRC found that NYPA's startup plan provides the process and management oversight necessary for a safe organized return to power operation.

NYPA has completed the committed restart actions as described in CAL 1-93-009. In their letter dated June 12, 1995, NYPA committed that Indian Point 3 will not exceed 40 percent reactor power until a self-assessment is performed and the NRC is notified of the results. In addition, NYPA committed to another self-assessment after full power operation is achieved, with the results of this latter self-assessment to be presented to the NRC in a public meeting. The cover letter to this document adds to the commitments contained in CAL 1-93-009 to reflect the above statements and transmits our agreement that Indian Point 3 is ready to restart. The NRC will provide augmented inspection coverage during the startup process. The NRC also will continue to closely monitor NYPA's performance and the implementation of the RCIP.

ACTION

EDO Principal Correspondence Control

FROM: DUE: 07/19/95

EDO CONTROL: 0000496
DOC DT: 06/30/95
FINAL REPLY:

Rep. Benjamin A. Gilman

TO:

OCA

FOR SIGNATURE OF :

** GRN **

CRC NO: 95-0598

Executive Director

DESC:

ROUTING:

ENCLOSES LETTER FROM MARTHE SCHULWOLF OPPOSING THE
REOPENING OF INDIAN POINT 3

Taylor
Milhoan
Thompson
Blaha
TMartin, RI

DATE: 07/05/95

ASSIGNED TO:

CONTACT:

NRR

Russell

SPECIAL INSTRUCTIONS OR REMARKS:

Return incoming w/reply

NRR RECEIVED: JULY 5, 1995
NRR ACTION: DRPE: VARGA

NRR ROUTING: RUSSELL
MIRAGLIA
THADANI
ZIMMERMAN
CRUTCHFIELD
BOHRER

ACTION

DUE TO NRR DIRECTOR'S OFFICE

BY *July 14, '95*

21

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

PAPER NUMBER: CRC-95-0598

LOGGING DATE: Jul 3 95

ACTION OFFICE: EDO

AUTHOR: REP BENJAMIN GILMAN
AFFILIATION: U.S. HOUSE OF REPRESENTATIVES

ADDRESSEE: RATHBUN

LETTER DATE: Jun 30 95 FILE CODE: IDR-5 IND PT

SUBJECT: OPPOSES THE REOPENING OF INDIAN POINT 3

ACTION: Signature of EDO

DISTRIBUTION: OCA TO ACK,DSB

SPECIAL HANDLING: NONE

CONSTITUENT: MARTHE SCHULWOLF

NOTES:

DATE DUE: Jul 18 95

SIGNATURE:
AFFILIATION:

DATE SIGNED:

BENJAMIN A. GILMAN
20TH DISTRICT, NEW YORK

FOREIGN AFFAIRS COMMITTEE
(RANKING MINORITY MEMBER)

SUBCOMMITTEE
EUROPE AND MIDDLE EAST

POST OFFICE AND CIVIL
SERVICE COMMITTEE

SUBCOMMITTEE
POSTAL SERVICES AND
OPERATIONS

Congress of the United States

House of Representatives

Washington, DC 20515-3220

June 30, 1995

Mr. Dennis K. Rathbun
Director
Office of Congressional Affairs
Nuclear Regulatory Commission
Washington, DC 20555

Dear Mr. Rathbun

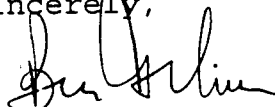
I have received the attached communication from my constituent, Dr. Marthe Schulwolf of Piermont, New York, concerning the Indian Point 3 Nuclear Facility.

I would welcome your review and every consideration which can be given to this matter will be appreciated.

Please provide me with a report of your findings when your review has been completed and have the letter returned to me with your reply.

Thank you for your kind attention.

Sincerely,



BENJAMIN A. GILMAN
Member of Congress

BAG:rma

PLEASE REPLY TO:

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☐ TELEPHONE: (914) 478-5550

**Marthe Schulwolf, Ph.D.
109 DeVries Court
Piermont, N.Y. 10968**

June 18, 1995

Representative Benjamin Gilman
2185 Rayburn House Office Building
Washington, D.C. 20515

VIA FAX 202-225-2541

Re: Indian Point 3

Dear Congressman Gilman:

I wish to voice my strong opposition to and indeed outrage at the Nuclear Regulatory Commission's decision to reopen the Indian Point 3 Nuclear Facility. This plant's history of operating difficulties and the dangers inherent in its very location within the greater New York metropolitan area and on the Ramapo earthquake fault magnify the already extraordinary risks involved in this outdated and no longer even cost efficient technology. It is becoming clearer and clearer that nuclear power generation is the way of the past, not the future. Why not face this fact now? Why take any further risks with the safety of the millions of residents of this area? Why continue to generate wastes that will plague us for generations to come? Please let us begin to act with some care and common sense before an accident occurs, rather than later.

I urge you to act on behalf of your constituents, who receive no economic benefit from this plant whatsoever and yet suffer the risks. I urge you to plead the cause of our County to the NRC and to do everything and anything in your power to stop the reopening of Indian Point 3.

Very truly yours,

Dr. Marthe Schulwolf

Distribution

Docket File (50-286) (w/incoming)

PUBLIC (w/incoming)

EDO# 0000496

EDO Reading, 017-G21

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J. Milhoan

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W. Russell/F. Miraglia

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D. Crutchfield

K. Bohrer

PDI-1 Reading (w/incoming)

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J. Zwolinski

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