

***Paul M. Blanch***  
***Energy Consultant***

March 3, 2011

John Boska  
Indian Point Project Manager, NRR/DORL  
U.S. Nuclear Regulatory Commission  
301-415-2901  
via email: john.boska@nrc.gov

John:

I appreciate the time given to me by the PRB today to discuss my 2.206 petition related the potential damage to the Indian Point reactors due to a gas line rupture/fire/explosion.

On February 18, 2011 you wrote:

*Mr. Blanch,*

*The NRR Petition Review Board<sup>1</sup> has made an initial recommendation to reject your petition. The reason is that these issues have already been the subject of NRC review and evaluation, and considering the information in your petition, we have not identified anything<sup>2</sup> which would invalidate our previous reviews. We have also not identified any violation of NRC regulations. The Indian Point UFSARs have been updated to discuss the pipelines. I have attached a copy of section 2.2 from the Indian Point 3 UFSAR, which was updated in October 2009. The Indian Point 2 UFSAR has a similar mention of the pipelines although not as extensive as the Unit 3 discussion. Unit 3 is significantly closer to the pipelines.*

*The PRB notes that the NRC has previously sent you 2 letters on this issue, the first dated April 12, 2010 (ML101020487) and the second dated July 6, 2010*

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<sup>1</sup> Was this a unanimous, majority, minority or a command decision?

<sup>2</sup> There is a huge difference between making the statement “we have not identified anything” and “we have reviewed all applicable regulations and the CLB and found no issues warranting further action by the NRC.”

*(ML101890929)<sup>3</sup>. In addition, the PRB had an NRC technical reviewer conduct another review of the licensee's analysis dated August 2008, which is referenced in the Unit 3 UFSAR, and the NRC's previous analysis dated April 2003. These analyses are not publicly available, but they are based on an analysis of the consequences of a full rupture. Our review did not identify any discrepancies that would change our previous conclusion that the pipelines do not endanger the safe or secure operation of the facility.*

*If you desire to meet with the PRB to comment on the PRB's initial recommendation and provide additional information, please let me know by February 24, 2011, and I will arrange a mutually agreeable time. Otherwise, we will send you a letter stating the NRC's decision on your petition.*

*John Boska  
Indian Point Project Manager, NRR/DORL  
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#### 50.71(e) Maintenance of records, making of reports clearly states:

(e) Each person licensed to operate a nuclear power reactor under the provisions of § 50.21 or § 50.22, and each applicant for a combined license under part 52 of this chapter, shall update periodically, as provided in paragraphs (e) (3) and (4) of this section, the final safety analysis report (FSAR) originally submitted as part of the application for the license, to assure that the information included in the report contains the latest information developed. This submittal shall contain all the changes necessary to reflect information and analyses submitted to the Commission by the applicant or licensee or prepared by the applicant or licensee pursuant to Commission requirement since the submittal of the original FSAR, or as appropriate, the last update to the FSAR under this section. The submittal shall include the effects of all changes made in the facility or procedures as described in the FSAR; **all safety analyses and evaluations performed by the applicant or licensee either in support of approved license amendments or in support of conclusions that changes did not require a license amendment in accordance with § 50.59(c)(2)** or, in the case of a license that references a certified design, in accordance with § 52.98(c) of this chapter; and all analyses of new safety issues performed by or on behalf of the applicant or licensee at Commission request. The updated information shall be appropriately located within the update to the FSAR.

If you still decide to reject my 2.206 petition, I request you provide me assurance that the licensee for Indian Point has performed the analysis required under 10 CFR 50.59 for the

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<sup>3</sup> It should be noted that these letters did not address any of the safety issues that I identified related to potential natural gas line explosions.

removal of the automatic isolation function of the gas lines and has been submitted as required by 10 CFR 50.71(e) and that this analysis has been submitted and approved by the NRC.

Please provide me with the ADAMS reference to this submittal.


It was also stated by the PRB this morning that the licensee's 2008 analysis considers a gas line fire/explosions and that the fire will persist for more than one hour without any core damage and that the potential loss of all power was properly addressed.

Before the NRC rejects my formal 2.206 petition I request the NRC conduct an analysis of the following regulation applicable to Indian Point and that Indian Point is in compliance with this particular regulation as related to the potential gas line fire/rupture/explosion.

***“Subpart A--Evaluation Factors for Stationary Power Reactor Site Applications Before January 10, 1997 and for Testing Reactors***

***100.10 Factors to be considered when evaluating sites.”***

I appreciate your time today and look forward to seeing you at the RIC next week.



Paul M. Blanch