



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

March 31, 2011

Mr. Paul Blanch
135 Hyde Road
West Hartford, CT 06117

Dear Mr. Blanch:

In your letter to the Executive Director for Operations (EDO) of the Nuclear Regulatory Commission (NRC), dated October 25, 2010, you requested pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.206 of the NRC's regulations, that the NRC order the licensee for Indian Point Nuclear Generating Unit Nos. 2 and 3 (IP2 and IP3) to demonstrate that the licensee has the capability to protect the public in the event of a rupture, explosion, or fire on the gas pipelines which cross the site. You also requested that the NRC review all available information, including demanding necessary information from the licensee, to ensure compliance with all regulatory requirements. Your petition was referred to the Office of Nuclear Reactor Regulation (NRR).

On November 2, 2010, you participated in a telecon with the NRR Petition Review Board (PRB). During that call you requested to have another call after you reviewed the redactions made by the NRC staff in the publically available copy of your petition. On November 5, 2010, you submitted a supplement to your petition. On November 9, 2010, you participated in another telecon with the NRR PRB. On February 18, 2011, the PRB informed you that their initial recommendation was to not accept your petition for review, as these issues have already been the subject of NRC review and evaluation. On March 3, 2011, you participated in another telecon with the PRB, and later that day submitted a supplement to your petition. The PRB has concluded that your petition does not meet the criteria for further review, as the issues have already been the subject of NRC review and evaluation and the NRC had previously resolved the issues. The PRB did not identify any violation of NRC requirements.

To provide some background, in 1968 the matter of the pipelines was considered during the initial licensing of IP3 (the pipelines are closer to IP3 than to IP2). On September 21, 1973, the Atomic Energy Commission (AEC) issued a safety evaluation report for IP3 which stated, "Two natural gas lines cross the Hudson River and pass about 620 feet from the Indian Point 3 containment structure. Based on previous staff reviews, failures of these gas lines will not impair the safe operation of Indian Point 3."

On December 6, 1995, the licensee submitted the Individual Plant Examination of External Events (IPEEE) report for IP3. In this report, the licensee first evaluated any susceptibility to damage to the pipelines from seismic events. Based on a hazard analysis, the licensee concluded that the probability of occurrence was low enough that the pipelines could be screened out as a seismic vulnerability. The licensee next considered pipeline failures from other causes, such as an inadvertent overpressure condition. The licensee screened this scenario out from further consideration based on the low probability of the scenario. The NRC's staff evaluation report on the IP3 IPEEE did not identify any discrepancies with this approach.

In April 2003, following questions on the pipelines from a member of the public, NRC staff reviewed the possible consequences of a rupture of a pipeline, independent of the probability of

P. Blanch

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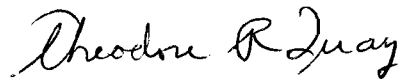
a pipeline failure. The NRC staff concluded that for a large rupture and resulting fire, safety-related structures would not be significantly affected.

In a report dated August 14, 2008, the licensee performed another evaluation of the pipelines. This evaluation again reviewed the possible consequences of a rupture of the pipelines, and concluded that it would not damage safety-related structures. The IP3 Updated Final Safety Analysis Report, Rev. 3, Section 2.2.2, discusses the pipelines and lists the 2008 report as a reference.

After receiving your petition, the NRC staff reviewed these reports and did not identify any violations of NRC regulations or any new information that would change the staff's previous conclusion that the pipelines do not endanger the safe or secure operation of IP2 or IP3.

Thank you for your interest in these matters.

Sincerely,

A handwritten signature in black ink, reading "Theodore R. Quay". The signature is written in a cursive style with a large, stylized 'T' and 'Q'.

Theodore R. Quay, Deputy Director
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

Docket Nos. 50-247 and 50-286

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/ra/

Theodore R. Quay, Deputy Director
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

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