



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I**
2100 RENAISSANCE BOULEVARD, SUITE 100
KING OF PRUSSIA, PENNSYLVANIA 19406-2713

January 4, 2013

Mr. John Ventosa, Site Vice President
Entergy Nuclear Operations, Inc.
Indian Point Energy Center
450 Broadway, GSB
P.O. Box 249
Buchanan, NY 10511-0249

**SUBJECT: INDIAN POINT NUCLEAR GENERATING UNIT NOS. 2 AND 3
RESPONSE TO NOTICES OF VIOLATION
NRC INSPECTION REPORT 05000247/2012009 AND 05000286/2012008**

Dear Mr. Ventosa:

Thank you for your letters of September 17, 2012 (ML12268A057) and December 7, 2012 (ML12354A415), in response to the Notices of Violation that were issued in U.S. Nuclear Regulatory Commission (NRC) Inspection Report 05000247/2012009 and 05000286/2012008, dated August 16, 2012 (ML12229A128), regarding the use of unapproved operator manual actions to mitigate safe shutdown equipment malfunctions caused by fire-induced single spurious actuations in Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50 Appendix R, Section III.G.2., Fire Areas. We reviewed your responses and find they meet the requirements of 10 CFR 2.201, "Notice of Violation." We will review the implementation of your corrective actions during a future inspection to determine that full compliance has been achieved and will be maintained.

Also, in a related matter, we noted that you have included in your December 7, 2012 letter, a status of corrective actions for fire-induced multiple spurious operation (MSO) issues. The industry resolution of MSOs was described in NRC Enforcement Guidance Memorandum 09- 002, Enforcement Discretion for Fire Induced Circuit Faults, dated May 14, 2009 (ML090300446). As discussed in your December 7, 2012 letter, enforcement discretion for multiple fire induced circuit fault related non-compliances ended on November 2, 2012, after which time, such non-compliances were to be dispositioned in accordance with the NRC Enforcement Policy. The NRC has determined that the violations issued to Entergy on August 16, 2012, pertaining to single spurious actuations, subsumes the MSO non-compliances at Indian Point Units 2 and 3. Accordingly, we will also review the implementation of your MSO corrective actions during a future inspection to determine that these are resolved.

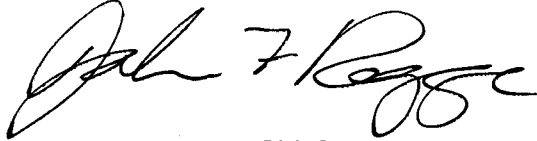
In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the

J. Ventosa

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Sincerely,

A handwritten signature in black ink, appearing to read "John F. Rogge". The signature is fluid and cursive, with the first name "John" being the most prominent.

John F. Rogge, Chief
Engineering Branch 3
Division of Reactor Safety

Docket Nos: 50-247, 50-286
License Nos: DPR-26, DPR-64

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Publicly Available Records (PARS) component of the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web Site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Sincerely,

/RA/

John F. Rogge, Chief
Engineering Branch 3
Division of Reactor Safety

Docket Nos: 50-247, 50-286
License Nos: DPR-26, DPR-64

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