



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

August 19, 2013

Vice President, Operations
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 NO. 2 – ACTIONS TO BE COMPLETED PRIOR TO ENTERING THE PERIOD OF TIMELY RENEWAL

Dear Sir or Madam:

The current operating license of Indian Point Nuclear Generating Unit No. 2 (Indian Point 2) states that the “amended license is effective as of the date of issuance, and shall expire at midnight September 28, 2013.” Due to ongoing Nuclear Regulatory Commission (NRC) activities that affect the Indian Point 2 license renewal application (LRA), it is clear that the NRC will not issue a renewed operating license for Indian Point 2 prior to September 28, 2013. Therefore, in accordance with the timely renewal provisions of 10 CFR 2.109(b), Indian Point 2 will enter the period of timely renewal at midnight, September 28, 2013, and will then continue to operate under its current license as allowed by the NRC’s regulations and the Administrative Procedure Act.

In your letter dated May 1, 2013 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML13142A203), you proposed actions to be taken prior to the date that Indian Point 2 enters the period of timely renewal (i.e., September 28, 2013). The proposed actions include two regulatory commitments to update the current licensing basis for the plant. Specifically, these two regulatory commitments are as follows:

1. Submit a letter to the NRC confirming complete implementation of Unit 2 license renewal commitments required to be implemented prior to entry into the PEO [period of extended operation].

Completion Date: August 2013

2. Modify the Unit 2 Updated Final Safety Analysis Report (“UFSAR”). Incorporate Unit 2 material set forth in Appendix A of the Application into both a new appendix into the Unit 2 UFSAR, as well as updating corresponding sections of the UFSAR with new or modified information and programs. Transmit a letter to the NRC confirming that this has been completed.

Completion Date: September 28, 2013

The first commitment is to submit a letter by the end of August 2013 confirming implementation of the Indian Point 2 license renewal commitments. Your letter of May 1, 2013, stated that Entergy Nuclear Operations, Inc. intended to reference the list of license renewal commitments included in either the NRC’s second supplement to NUREG-1930, “Safety Evaluation Report

Related to the License Renewal of Indian Point Nuclear Generating Unit Nos. 2 and 3," which was then scheduled for issuance in July 2013, or, in the event that the NRC does not issue the second supplement, an alternate document. Since the NRC staff did not issue the second supplement to NUREG-1930 in July, the NRC staff understands that the appropriate alternate document would be the list of license renewal commitments included in your letter of May 7, 2013 (ADAMS Accession No. ML13142A202). The commitments to be implemented would be those commitments associated with Indian Point 2 that were scheduled for implementation prior to September 28, 2013.

The second commitment is to update the Indian Point 2 UFSAR to reflect the information included in Appendix A to the LRA by September 28, 2013. To assure that there is sufficient time to document changes to your current licensing basis and to provide an updated version of the UFSAR prior to the period of timely renewal, the NRC understands that the Indian Point 2 UFSAR update of September 28, 2013, would be current (i.e., is accurate and incorporates all changes) as of June 30, 2013.

Entergy's implementation of the license renewal commitments and the information included in Appendix A to the LRA into the Indian Point 2 UFSAR will revise the current licensing basis under 10 CFR Part 50. Once incorporated into the UFSAR, any changes would necessitate a review under 10 CFR 50.59. The regulations in 10 CFR 50.59 remain as the change process for the UFSAR under the current operating license and will continue to apply for changes during the period of timely renewal.

Entergy must continue to comply with the requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) 54.21(b) regarding the submittal of amendments to the LRA that identify any changes to the current licensing basis of the facility that materially affects the contents of the LRA, including the annual UFSAR supplement. Any subsequent modification of the license renewal commitments and the information included in Appendix A to the LRA will be reviewed by the NRC staff under 10 CFR Part 54. If approved, issuance of a renewed license will be based upon the license renewal commitments and the information in Appendix A of the LRA.

Please contact Douglas Pickett at 301-415-1364 if you have any questions.

Sincerely,



Michele G. Evans, Director
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-247

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Related to the License Renewal of Indian Point Nuclear Generating Unit Nos. 2 and 3," which was then scheduled for issuance in July 2013, or, in the event that the NRC does not issue the second supplement, an alternate document. Since the NRC staff did not issue the second supplement to NUREG-1930 in July, the NRC staff understands that the appropriate alternate document would be the list of license renewal commitments included in your letter of May 7, 2013 (ADAMS Accession No. ML13142A202). The commitments to be implemented would be those commitments associated with Indian Point 2 that were scheduled for implementation prior to September 28, 2013.

The second commitment is to update the Indian Point 2 UFSAR to reflect the information included in Appendix A to the LRA by September 28, 2013. To assure that there is sufficient time to document changes to your current licensing basis and to provide an updated version of the UFSAR prior to the period of timely renewal, the NRC understands that the Indian Point 2 UFSAR update of September 28, 2013, would be current (i.e., is accurate and incorporates all changes) as of June 30, 2013.

Entergy's implementation of the license renewal commitments and the information included in Appendix A to the LRA into the Indian Point 2 UFSAR will revise the current licensing basis under 10 CFR Part 50. Once incorporated into the UFSAR, any changes would necessitate a review under 10 CFR 50.59. The regulations in 10 CFR 50.59 remain as the change process for the UFSAR under the current operating license and will continue to apply for changes during the period of timely renewal.

Entergy must continue to comply with the requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) 54.21(b) regarding the submittal of amendments to the LRA that identify any changes to the current licensing basis of the facility that materially affects the contents of the LRA, including the annual UFSAR supplement. Any subsequent modification of the license renewal commitments and the information included in Appendix A to the LRA will be reviewed by the NRC staff under 10 CFR Part 54. If approved, issuance of a renewed license will be based upon the license renewal commitments and the information in Appendix A of the LRA.

Please contact Douglas Pickett at 301-415-1364 if you have any questions.

Sincerely,
/RA/
Michele G. Evans, Director
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-247
cc: Distribution via Listserv

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See next page

ADAMS ACCESSION NO.: ML13197A034

*Concurrence via email

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NAME	DPickett	KGoldstein*	RGuzman for RBeall	YDiazSanbria	DRoberts*
DATE	07/17/13	07/17/13	07/19/13	07/17/13	07/18/13
OFFICE	OGC	DLR/D	DORL/D		
NAME	STurk	JLubinski	MEvans		
DATE	07/30/13	08/05/13	08/19/13		

OFFICIAL RECORD COPY

Dated: August 19, 2013

INDIAN POINT NUCLEAR GENERATING UNIT NO. 2 – ACTIONS TO BE COMPLETED
PRIOR TO ENTERING THE PERIOD OF TIMELY RENEWAL

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