



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION I
2100 RENAISSANCE BLVD., SUITE 100
KING OF PRUSSIA, PA 19406-2713

October 22, 2014

Ms. Alyse Peterson
Senior Project Manager
New York State Energy Research and
Development Authority (NYSERDA)
17 Columbia Circle
Albany, NY 12203-6399

Dear Ms. Peterson:

I am writing in response to your September 22, 2014, letter to Mr. Douglas Pickett, NRC Senior Project Manager, regarding an exigent change to Indian Point Unit 2 Technical Specification 3.8.6. In your letter, you raised concerns about the degradation of the 22 battery at Indian Point Unit 2, Entergy's compliance with its Technical Specifications and operating license, and the NRC's inspection of station batteries. Additionally, you requested station battery surveillance records and up-to-date battery maintenance schedules for all New York State nuclear plants.

As background, by letter dated September 15, 2014, and as supplemented by letter dated September 18, 2014, Entergy submitted a request for changes to the Indian Point Unit 2 Technical Specifications regarding the capacity of the 22 battery. In response to Entergy's application, on September 24, 2014, the NRC issued a temporary amendment to Surveillance Requirement 3.8.6.6 by reducing the acceptance criteria for the 22 battery capacity from 85 percent to 80 percent through March 6, 2015.

In September 2014, the NRC identified a concern with the ability of the 22 battery to meet the Technical Specification required capacity after completing a problem identification and resolution (PI&R) sample inspection. This was a planned corrective action follow-up inspection that was scheduled based on insights from an operability review performed by the resident inspectors in the Spring of 2014. Specifically, the 22 battery was selected for an in-depth review to evaluate how Entergy planned to address testing and potential capacity concerns that were evident when the battery was last tested in March 2014. The results of this PI&R sample inspection will be documented in the third quarter integrated inspection report which will be publically available in mid-November.

During the recent PI&R sample inspection, an inspector with electrical expertise reviewed the previous 22 battery test results, evaluated the trends, and challenged the Entergy staff on whether the 22 battery could meet the Technical Specification requirements for battery capacity. In response to the NRC questions and concerns, Entergy extrapolated the expected degradation of the 22 battery and determined that the capacity could drop below the 85 percent acceptance criteria of Surveillance Requirement 3.8.6.6 before the next scheduled surveillance test scheduled for March 7, 2015. This could have resulted in a noncompliance with the existing Technical Specification requirements, potentially as soon as September 25, 2014. Entergy performed an evaluation of the margin between the required capacity and the capacity needed for the battery to fulfill its safety function and determined that there was significant margin available. An exigent Technical Specification amendment was then submitted by Entergy to

change the 22 battery minimum capacity to greater than or equal to 80 percent. The NRC conducted a review of the temporary amendment and ultimately granted the amendment after considering that a capacity much less than 80 percent is needed to supply the design basis loads from the 22 battery. Specifically, the design basis loads are approximately 62.5 percent of the manufacturer's rated capacity which provides sufficient margin to ensure all safety functions can be accomplished with the lower capacity limit. Additionally, Entergy has stated its intentions to replace the 22 battery in early 2015.

The NRC has a comprehensive inspection program that reviews performance of all safety-related equipment, including batteries. We routinely inspect safety-related batteries through a number of inspections that are part of our Reactor Oversight Process (ROP) baseline inspection program. Included in the baseline inspection program, primarily implemented by our Resident Inspectors, are many inspections that review battery issues such as reviews of operability determinations and functionality assessments (NRC Inspection Procedure (IP) 71111.15), plant modifications (IP 71111.18), post-maintenance testing (IP 71111.19), and surveillance testing (IP 71111.22). In addition, the NRC performs the Component Design Bases Inspection (IP 71111.21) during which battery issues can be inspected. The Component Design Bases Inspection is a triennial team inspection comprised of NRC experts and contractor design specialists who verify that risk significant plant components such as station batteries are maintained within their design basis. The recent concern that led to the exigent Technical Specification amendment was identified by the NRC during a PI&R in-depth review (IP 71152), which explored potential capacity and operability concerns with the 22 battery. NRC inspection procedures are publically available on our website www.nrc.gov.

The inspections discussed above are conducted at every nuclear facility in the country and have resulted in numerous enforcement actions (findings and violations) being taken in response to battery performance issues. Since January 1, 2010, the NRC has documented 11 enforcement actions at New York State nuclear plants where requirements for station batteries were not met. For more information on these enforcement actions, please see the following list of publically available inspection reports which are identified by Accession Numbers (ML#). These documents can be retrieved using the NRC's publically available web-based Agencywide Documents Access and Management System (ADAMS). To retrieve the document, enter the Accession Number (ML#) in the Document Properties field located in the Advanced Search tab at the following webpage: <http://adams.nrc.gov/wba/>.

[ML13225A471](#)
[ML13344A989](#)

[ML14045A214](#)
[ML101260523](#)

[ML103070529](#)
[ML111320365](#)

[ML12220A488](#)
[ML12313A432](#)

Regarding your request for battery surveillance records and maintenance schedules for all New York State plants, the NRC does not have these records. Licensees maintain these records which are shared with the NRC during inspections, but they are not kept by the NRC after the inspections are completed. Therefore, we are unable to furnish these records

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as you requested. For access to the Indian Point Technical Specifications, which specify the surveillance requirements for station batteries, please see ML052720262 (Unit 2) and ML052720273 (Unit 3). Additionally, all operating power reactor Technical Specifications can be accessed through the NRC's public website (www.NRC.gov). The Technical Specifications are attached to the plant operating license and found on each specific reactor unit webpage.

Thank you for your questions regarding the Indian Point nuclear power plant. I hope this response addresses your concerns. If you have any questions, please feel free to call me at (610)337-5069.

Sincerely,

/RA/

Arthur L. Burritt, Chief
Reactor Projects Branch 2
Division of Reactor Projects

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ADAMS Accession No.: **ML14297A433**

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