



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

October 22, 2015

EA-14-135
and EA-14-136

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 NOS. 1, 2, AND 3 – DRAFT ENVIRONMENTAL ASSESSMENT AND FINDING OF NO SIGNIFICANT IMPACT RELATED TO PREEMPTION AUTHORITY REQUESTS (CAC NOS. MF2603, MF2604, MF2605, MF2637, MF2638, AND MF2639)

Dear Sir or Madam:

Enclosed is a copy of the Draft Environmental Assessment and Finding of No Significant Impact related to the Entergy Nuclear Operation, Inc. submittal dated August 20, 2013 as supplemented by letters dated November 21, 2013, May 13 and July 24, 2014, and January 16, 2015 (Agencywide Documents Access and Management System (ADAMS) Accession Nos. ML13239A447, ML13354B780, ML14149A247, ML14219A326, and ML15030A031, respectively), and citing letters dated April 27 and October 27, 2011, and January 4, 2012 (ADAMS Accession Nos. ML11124A075, ML11314A070, and ML12019A048, respectively), for the Indian Point Nuclear Generating Unit Nos. 1, 2, and 3, including the general-licensed Independent Spent Fuel Storage Installation.

The proposed amendment would permit licensee security personnel of the requesting facilities to transfer, receive, possess, transport, import, and use certain firearms and large capacity ammunition feeding devices not previously permitted to be owned or possessed under Commission authority, notwithstanding certain local, State, or Federal firearms laws, including regulations that prohibit such actions. The assessment is being forwarded to the Office of the *Federal Register* for publication.

Sincerely,

A handwritten signature in black ink that reads "Benjamin G. Beasley".

Benjamin G. Beasley, Chief
Plant Licensing Branch 1-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-003, 50-247,
50-286, and 72-51

Enclosure: Draft Environmental Assessment

cc w/encl: Distribution via Listserv

NUCLEAR REGULATORY COMMISSION

Docket Nos. 50-003, 50-247, 50-286, and 72-51

NRC-20YY-XXXX

Entergy Nuclear Operations, Inc.

Indian Point Nuclear Generating Unit Nos. 1, 2, and 3

AGENCY: Nuclear Regulatory Commission.

ACTION: Draft environmental assessment and finding of no significant impact; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing a draft environmental assessment and finding of no significant impact for public comment related to a request to amend Provisional Operating License No. DPR-5, and Facility Operating License Nos. DPR-26 and DPR-64 issued to Entergy Nuclear Operations, Inc. ("ENO", "the licensee"), for operation of the Indian Point Nuclear Generating Unit Nos. 1, 2, and 3, (hereinafter "Indian Point" or "the facility"), including the general-licensed Independent Spent Fuel Storage Installation, Docket No. 72-51, located in Westchester County, NY, in accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) 50.90. The requested amendment would permit licensee security personnel to use certain firearms and ammunition feeding devices not previously permitted, notwithstanding State, local, and certain Federal firearms laws or regulations that otherwise prohibit such actions.

DATES: Submit comments by **[INSERT DATE 30 DAYS FROM DATE OF PUBLICATION]**.

Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received before this date. Any potential party, as defined in 10 CFR 2.4, who believes access to Sensitive Unclassified Non-Safeguards Information (SUNSI) is necessary to respond to this notice must request document access by **[INSERT DATE 10 DAYS FROM DATE OF PUBLICATION]**.

ADDRESSES: You may submit comments by any of the following methods (unless this document describes a different method for submitting comments on a specific subject):

- **Federal Rulemaking Web Site:** Go to <http://www.regulations.gov> and search for Docket ID <**INSERT: NRC-20YY-XXXX**>. Address questions about NRC dockets to Carol Gallagher; telephone: 301-415-3463; e-mail: Carol.Gallagher@nrc.gov. For technical questions, contact the individual listed in the FOR FURTHER INFORMATION CONTACT section of this document.

- **Mail comments to:** Cindy Bladey, Office of Administration, Mail Stop: OWFN-12-H08, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

For additional direction on obtaining information and submitting comments, see "Obtaining Information" and "Submitting Comments" in the SUPPLEMENTARY INFORMATION section of this document.

FOR FURTHER INFORMATION CONTACT: Mr. Douglas V. Pickett telephone: 301-415-1364 e-mail: douglas.pickett@nrc.gov, U.S. Nuclear Regulatory Commission, Washington DC 20555-0001.

SUPPLEMENTARY INFORMATION:

A. Obtaining Information.

Please refer to Docket ID <INSERT: NRC-20YY-XXXX> when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this action by any of the following methods:

- **Federal rulemaking Web Site:** Go to <http://www.regulations.gov> and search for Docket ID <INSERT: NRC-20YY-XXXX>.

NRC's Agencywide Documents Access and Management System (ADAMS): You may access publicly available documents online in the NRC Library at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "ADAMS Public Documents" and then select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to pdr.resource@nrc.gov. The ADAMS accession number for each document referenced in this notice (if that document is available in ADAMS) is provided the first time that a document is referenced. The application for amendment for Indian Point dated August 20, 2013, was supplemented by letters dated November 21, 2013, May 13 and July 24, 2014, and January 16, 2015 (ADAMS Accession Nos. ML13239A447, ML13354B780, ML14149A247, ML14219A326, and ML15030A031, respectively), and citing letters dated April 27 and October 27, 2011, and January 4, 2012 (ADAMS Accession Nos. ML11124A075, ML11314A070, and ML12019A048, respectively). Those letters containing SUNSI are being withheld from public disclosure.

- **NRC's PDR:** You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

B. Submitting Comments.

Please include Docket ID <NRC-20YY-XXXX> in your comment submission.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at <http://www.regulations.gov> as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

I. Introduction

The NRC is considering a request to amend Provisional Operating License No. DPR 5, and Facility Operating License Nos. DPR 26 and DPR 64, issued to ENO for operation of Indian Point, including the general-licensed Independent Spent Fuel Storage Installation, Docket No. 72-51, located in Westchester County, NY, in accordance with 10 CFR 50.90. Therefore, as required by 10 CFR 51.21 and 10 CFR 51.33, the NRC has prepared a Draft Environmental

Assessment (EA) documenting its finding. The requested amendment would permit licensee security personnel to use certain firearms and ammunition feeding devices not previously permitted, notwithstanding State, local, and certain Federal firearms laws or regulations that otherwise prohibit such actions.

II. Draft Environmental Assessment and Finding of No Significant Impact

Identification of the Proposed Action:

The proposed action would permit security personnel at Indian Point, in the performance of their official duties, to transfer, receive, possess, transport, import, and use certain firearms, and large capacity ammunition feeding devices not previously permitted to be owned or possessed, notwithstanding State, local, and certain Federal firearms laws, or regulations that otherwise prohibit such actions.

The proposed action is in accordance with ENO's application dated August 20, 2013, as supplemented by letters dated November 21, 2013, May 13 and July 24, 2014, and January 16, 2015, and citing letters dated April 27 and October 27, 2011, and January 4, 2012.

The Need for the Proposed Action:

The proposed action would allow the transfer, receipt, possession, transportation, importation and use of those firearms and devices needed in the performance of official duties required for the protection of Indian Point and associated special nuclear materials, consistent with the Indian Point NRC-approved security plan.

Environmental Impacts of the Proposed Action:

The NRC has completed its evaluation of the proposed action and concludes that the proposed action would only allow the use of those firearms and devices necessary to protect

Indian Point and associated special nuclear material, consistent with the Indian Point NRC-approved security plant. Therefore, the proposed action would not significantly increase the probability or consequences of accidents. In addition, the proposed action would not change the types and the amounts of any effluents that may be released offsite. There would also be no significant increase in occupational or public radiation exposure. Therefore, there would be no significant radiological environmental impacts associated with the proposed action.

The proposed action would not impact land, air, or water resources, including biota. In addition, the proposed action would not result in any socioeconomic or environmental justice impacts or impacts to historic and cultural resources. Therefore, there would also be no significant non-radiological environmental impacts associated with the proposed action.

Accordingly, the NRC concludes that issuance of the requested amendment would not result in significant environmental impacts.

The NRC will publish in the *Federal Register* a copy of the final environmental assessment as part of the final finding of no significant impact.

Environmental Impacts of the Alternatives to the Proposed Action:

As an alternative to the proposed action, the staff considered denying the proposed action (i.e., the “no-action” alternative). Denial of the license amendment request would result in no change in current environmental conditions at Indian Point.

Alternative Use of Resources:

The proposed action would not involve the use of any resources.

Agencies and Persons Consulted:

The staff did not consult with any Federal Agency or New York state agencies regarding the environmental impact of the proposed action.

III. Finding of No Significant Impact

The licensee has requested a license amendment to permit licensee security personnel, in the performance of their official duties, to transfer, receive, possess, transport, import, and use certain firearms, and large capacity ammunition feeding devices not previously permitted to be owned or possessed, notwithstanding State, local, and certain Federal firearms laws, or regulations that would otherwise prohibit such actions.

On the basis of the information presented in this environmental assessment, the NRC concludes that the proposed action would not cause any significant environmental impact and would not have a significant effect on the quality of the human environment. In addition, the NRC has determined that an environmental impact statement is not necessary for the evaluation of this proposed action.

Other than the licensee's letter dated August 20, 2013, there are no other environmental documents associated with this review. This document is available for public inspection as indicated above.

Dated at Rockville, Maryland, this 22nd day of October, 2015.

For the Nuclear Regulatory Commission.



Benjamin G. Beasley, Chief
Plant Licensing Branch 1-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

October 22, 2015

Vice President, Operations
Entergy Nuclear Operations, Inc.
Indian Point Energy Center
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Sincerely,
/RA/
Benjamin G. Beasley, Chief
Plant Licensing Branch 1-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-003, 50-247,
50-286, and 72-51

Enclosure: Draft Environmental Assessment
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ADAMS Accession Nos.: Package: ML15181A423

Letter: ML15182A015 EA FRN: ML15182A017 *concurrence via e-mail

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