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Douglas V. Pickett, Senior Project Manager
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
One White Flint North, 869A
11555 Rockville Pike
Rockville, MD 20852-2738

November 20, 2015

Re: State of New York Comments on Entergy's License Amendment Request
dated December 9, 2014

Dear Mr. Pickett:

As the State Liaison Officer (SLO) for New York State, I am writing on behalf of the State to request that the Commission deny Entergy's request for a license amendment to reduce the frequency of containment liner inspections at Indian Point Unit 2 ("IP2"). Simply put, the poor operating history of the IP2 containment liner does not make the Amendment an appropriate safety choice for New Yorkers living in the vicinity of this aging plant.

On December 9, 2014, Entergy submitted a license amendment request seeking to reduce the frequency with which it must conduct "Type A" containment leak rate tests at IP2, delaying the test from once every ten years to once every 15 years. See Letter from Lawrence Coyle, Site Vice President, Entergy Nuclear Northeast, to U.S. Nuclear Regulatory Commission, NL-14-128 (Dec. 9, 2014) (ML14353A015) (the "Amendment" or "Amendment Request"). This would mean only one more inspection during IP2's potential extended operating period, in 2021. Entergy recently obtained, over the State's objection, a similar license amendment for Unit 3. The State of New York now strongly urges the Commission to deny this latest request by Entergy on the basis of IP2's notable history of containment liner problems. Type A testing is the best way to measure the overall health of the containment. In addition, Type A testing can determine whether unknown or previously unidentified sources of leakage exist and is the only test of the containment liner's overall integrity. Because of this, and in light of the containment liner incidents described below, Type A testing is even more critical for IP2 than for IP3.

In its objection to Entergy's Amendment Request for Unit 3 (ML15055A512), the State explained the importance of Type A testing and recounted the NRC's years-long and systemic degradation of the frequency of these important safety tests. We incorporate those points here. The State reiterated these issues for the Commission's consideration in its recent Petition to Intervene on this amendment (ML15138A415), and subsequent appeal of the denial of the State's request for a hearing on the amendment (ML15293A585). Indeed, whereas plants were once required to test three

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times every ten years, Entergy now requests permission to perform the required inspection only once during the entirety of its potentially extended operating term. This is unacceptable given the history of problems at IP2.

As the record before the Commission makes clear, IP2's containment liner has been plagued with problems since as early as 1968, when plate buckling was detected in the IP2 containment liner in the vicinity of the fuel transfer canal during plant construction. *See* Report on the Containment Building Liner Plate Buckle in the Vicinity of the Fuel Transfer Canal at 1 (Jan. 1968), ML093521587). Then, on November 13, 1973, shortly after IP2 received its operating license, the IP2 containment liner was subject to further damage when the feedwater line to the No. 22 steam generator broke, causing a jet of steam and hot water to deform the containment liner. *See* Letter from William J. Cahill, Jr., Vice President, Consolidated Edison, to James P. O'Reilly, Director, Regulatory Operations of Atomic Energy Commission, at 2-3, 5 (Nov. 30, 1973)(ML093560700). Attempts to remedy this problem revealed that the containment liner was not installed in conformance with applicable specifications, as it was missing two rows of studs. Atomic Energy Commission staff called for "increased attention ... to the surveillance of the liner during the life of the plant" and "[increased] frequency of leakage tests required by the technical specification." *See* Letter from R.R. Maccary, Assistant Director for Engineering, AEC, to Donald Skovholt, Assistant Director for Operating Reactors, AEC (Apr. 15, 1974), Attachment at 4 (ML093630690). At that time, such inspections were required three times per ten-year period. Now, the NRC is poised to permit only one inspection per extended operating period, which would mean only one more inspection during IP2's potential extended operating period.

The problems at IP2 didn't stop there. In 1980, the IP containment liner was subjected to further damage during a 1980 flooding event, when an inspection discovered that leaking service water pipes had resulted in the containment area being flooded with more than 100,000 gallons of brackish water from the Hudson River. *See* NRC, IE Information Notice No. 80-37: Containment Cooler Leaks and Reactor Cavity Flooding at Indian Point Unit 2 (Oct. 25, 1980) (ML031180421); USNRC Office of Inspection and Enforcement, Investigation Report No. 50-247/80-19, at 2-13, 48 (Nov. 28, 1980) (ML100191212). Inspections as recently as 2000 – that is, 15 years ago – discovered liner corrosion from this event. The liner had deteriorated from a thickness of .5 inches to .355 inches, which an Entergy contractor concluded was only .015 inches thicker than the required minimum thickness. *Id.*

Moreover, recent seismic evaluations conducted by both Entergy and NRC Staff have shown that IP2 faces a greater seismic hazard than was believed at the time of plant siting and construction. Indeed, IP2 has been placed in the first priority group for additional seismic review by NRC Staff. *See* Letter, Eric J. Leeds, Director Office of Nuclear Reactor Regulation, to All Power Reactor Licensees and Holders of Construction Permits in Active or Deferred Status on the Enclosed List (May 9, 2014) (ML14111A147).

In addition to the poor performance history of the IP2 containment liner, Entergy's own documents show that leakage rates have been increasing over time, and NRC Staff observed in a request for additional information that "the as-found Leakage' is on a continuous trend towards eclipsing the IP2 [technical specification] leakage rate acceptance criteria." NRC Staff Request for Additional Information 4, at 3 (Apr. 28, 2015) (ML15103A259). Yet despite these findings, NRC

Staff propose to determine that the Amendment Request involves no significant hazards consideration under 10 C.F.R. section 50.92. 80 Fed. Reg. 13,902 (Mar. 17, 2015) at 13,906.

Even if one believes that this reduced inspection frequency is appropriate for IP3 (which the NRC does, and the State does not), the history of problems at IP2, which were not present at IP3, warrants a different outcome here. The State requests an increase in the frequency of inspections and testing of the containment liner at IP2, not a decrease, and requests that the NRC deny Entergy's December 9, 2014 License Amendment Request.

Sincerely,

A handwritten signature in black ink that reads "John B. Rhodes". The signature is written in a cursive, somewhat stylized font.

John B. Rhodes
State Liaison Officer
CEO and President, New York State Energy Research and Development Authority

cc: Acting Commissioner Basil Seggos, NYS Department of Environmental Conservation (*via e-mail*)
Secretary, Nuclear Regulatory Commission (*via e-mail*)

Docket, Hearing

From: Peterson, Alyse L (NYSERDA) <Alyse.Peterson@nyserda.ny.gov>
Sent: Friday, November 20, 2015 5:19 PM
To: Pickett, Douglas
Cc: Seggos, Basil (DEC); Docket, Hearing
Subject: NYS comments on IP2 containment liner inspection frequency license amendment request
Attachments: NYS 11-20-15 Comments on IP2 containment liner LAR.pdf

Good afternoon Doug,

New York State's comments on the December 14, 2014 Indian Point Unit 2 license amendment request regarding containment liner inspection frequency is attached. If you have any questions, please contact me.

Sincerely,
Alyse Peterson, P.E.
State Liaison Officer - Designee
New York State Energy Research and Development Authority

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