



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

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

February 24, 2016

EA-16-021

Mr. Lawrence Coyle
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 ENERGY CENTER UNITS 2 AND 3 – SECURITY INSPECTION
REPORT 05000247/2016403 AND 05000286/2016403; AND EXERCISE OF
ENFORCEMENT DISCRETION**

Dear Mr. Coyle:

On January 15, 2016, the U.S. Nuclear Regulatory Commission (NRC) completed a security inspection at your Indian Point Energy Center, Units 2 and 3. The NRC inspectors discussed the results of this inspection with Mr. John Kirkpatrick, Director, Regulatory and Performance Improvement and other members of your staff. Inspectors documented the results of this inspection in the enclosed inspection report.

Although a violation of Title 10 of the *Code of Federal Regulations* (10 CFR) Part 37 with respect to large components containing Category 2 quantities of radioactive material or Category 2 quantities of radioactive material stored in robust structures was identified and the issue was discussed during the exit meeting, Entergy met all the criteria in NRC Enforcement Guidance Memorandum (EGM) 14-001 for the use of enforcement discretion; therefore, NRC is exercising enforcement discretion (EA-16-021) and will not issue any enforcement action for this violation. Additional details are contained in the non-public enclosure.

In accordance with Title 10 CFR 2.390, "Public Inspections, Exemptions, Requests for Withholding," of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC's Public Document Room or from the Publicly Available Records (PARS) component of the NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Enclosure contains Sensitive Unclassified Non-Safeguards Information. When separated from enclosure, the transmittal document is decontrolled.

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However, the material enclosed herewith contains Security-Related Information in accordance with 10 CFR 2.390(d)(1) and its disclosure to unauthorized individuals could present a security vulnerability. Therefore, the material in the enclosure will not be made available electronically for public inspection in the NRC Public Document Room or from the PARS component of NRC's ADAMS.

If you choose to provide a response and Security-Related Information is necessary to provide an acceptable response, please mark your entire response "Security-Related Information–Withhold from public disclosure under 10 CFR 2.390" in accordance with 10 CFR 2.390(d)(1) and follow the instructions for withholding in 10 CFR 2.390(b)(1). In accordance with 10 CFR 2.390(b)(1)(ii), the NRC is waiving the affidavit requirements for your response.

Sincerely,

/RA/

Raymond K. Lorson, Director
Division of Reactor Safety

Docket Nos. 50-247 and 50-286
License Nos. DPR-26 and DPR-64

Enclosure:
Inspection Report 05000247/2016403, 05000286/2016403
w/Attachment: Supplemental Information (OUO-SRI)

cc w/o encl; w/o OUO-SRI: Distribution via ListServ

cc w/encl; w/OUO-SRI:
D. Gagnon, Site Security Manager
A. Peterson, State Liaison Office Designee,
NY State Energy, Research & Development
Authority

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A. Peterson, State Liaison Office Designee,
NY State Energy, Research & Development
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ADAMS ACCESSION NUMBER: ML16055A412 (Cover letter w/enclosure)

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Letter to Lawrence Coyle from Raymond Lorson

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REPORT 05000247/2016403 AND 05000286/2016403

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