



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

April 12, 2017

MEMORANDUM TO: MaryJane Ross-Lee, Acting Director
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

FROM: George A. Wilson, Director */RA/*
Division of License Renewal
Office of Nuclear Reactor Regulation

SUBJECT: REFERRAL OF SEVERE ACCIDENT MITIGATION ALTERNATIVES FOR
INDIAN POINT UNITS 2 AND 3 (CAC NOS MD5411 AND MD5412)

On June 2, 2016, the Commission issued a Memorandum and Order (CLI-16-10, 83 NRC 494) dismissing a contention related to the staff's review of the license renewal application for Indian Point Units 2 and 3 (IP 2 and IP3, respectively) and directing that the pending potentially cost-beneficial Severe Accident Mitigation Alternatives (SAMAs) be referred to the Office of Nuclear Reactor Regulation for review and disposition, as appropriate, in the context of current plant operation (ADAMS Accession No. ML16154A056). The Commission also directed the staff to make available to the State of New York its conclusions regarding whether any of the pending identified SAMAs warrant a backfit analysis or other further NRC action.

The pending potentially cost-beneficial SAMAs are described in NUREG-1437, Supplement 38, "Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement for 38, Regarding Indian Point Nuclear Generating Unit Nos. 2 and 3" ("FSEIS"). The potentially cost-beneficial SAMAs are not related to aging management for the period of extended operation and are not within the scope of the license renewal regulations, 10 CFR Part 54; accordingly, they were not required to be implemented as a condition for license renewal.

Therefore, in accordance with the Commission's direction the potentially cost-beneficial SAMAs are hereby referred to the Division of Operating Reactor Licensing to determine whether a backfit analysis is warranted or any additional regulatory action should be taken.

Please note that the SAMAs discussed in CLI-16-10 may be affected by other developments, such as the Applicant's recent request that the license renewal term for IP2 and IP3 be shortened to April 2024 and April 2025, respectively; the Applicant's previous implementation of other cost-beneficial SAMAs; the licensee's implementation of Fukushima-related measures; the NRC staff's supplemental SAMA evaluation contained in draft Supplement 2 to the FSEIS; and sensitivity analyses now being conducted pursuant to a further Commission directive in the Indian Point license renewal proceeding.

If you have any questions concerning this matter, please contact Mr. William "Butch" Burton, the Senior License Renewal Project Manager for the IP review, at 301-415-6332, or by email at William.burton@nrc.gov.

Docket Nos. 50-247 and 50-286

CONTACT: William Burton, DLR/NRR
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