



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

September 17, 2018

Mr. Anthony Vitale
Site Vice-President, IPEC
Entergy Nuclear Operations, Inc.
450 Broadway, GSB PO Box 249
Buchanan, NY 10511-0249

SUBJECT: ISSUANCE OF RENEWED FACILITY OPERATING LICENSE NOS. DPR-26
AND DPR-64 FOR INDIAN POINT NUCLEAR GENERATING UNIT NOS. 2
AND 3 (CAC NOS. MD5407 AND MD5408)

Dear Mr. Vitale:

The U.S. Nuclear Regulatory Commission (NRC) has issued Renewed Facility Operating License Nos. DPR-26 and DPR-64 for Indian Point Nuclear Generating Unit Nos. 2 (IP2) and 3 (IP3). The NRC issued the renewed facility operating licenses based on its review of your application dated April 23, 2007 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML071210512), as supplemented by letters dated May 3, 2007 (ADAMS Accession No. ML071280700) and June 21, 2007 (ADAMS Accession No. ML071800318) and further supplemented by letters submitted to the NRC through June 25, 2018 (ADAMS Accession No. ML18183A147). The NRC revised Appendix B, "Environmental Technical Specification Requirements," of the renewed licenses to clarify that the NRC will rely on the National Marine Fisheries Service for any requirements pertaining to monitoring of federally listed sturgeon.

The NRC made no changes to Appendix A, "Technical Specifications" or Appendix C, "Inter-Unit Fuel Transfer Technical Specifications" of the renewed licenses.

Renewed Facility Operating License No. DPR-26 for IP2 expires at midnight on April 30, 2024, and Renewed Facility Operating License No. DPR-64 for IP3 expires at midnight on April 30, 2025.

The NRC staff set forth the technical basis for issuing the renewed facility operating licenses for IP2 and IP3 in the "Safety Evaluation Report Related to the License Renewal of Indian Point Nuclear Generating Unit Nos. 2 and 3," issued August 11, 2009 (ADAMS Package Accession No. ML092240268). On November 30, 2009, the NRC staff published the final version of this report in two volumes as NUREG-1930, "Safety Evaluation Report (SER) Related to the License Renewal of Indian Point Nuclear Generating Unit Nos. 2 and 3" (for Volume 1, see ADAMS Accession No. ML093170451 and for Volume 2, see ADAMS Accession No. ML093170671). On August 31, 2011, the NRC staff published Supplement 1 to NUREG-1930 (ADAMS Accession No. ML11242A215). Supplement 1 documents the NRC staff's review of supplemental information the applicant provided after the publication of NUREG-1930, including annual updates required by 10 CFR 54.21(b), and updated information and commitments in response to NRC staff requests for additional information. On July 31, 2015, the NRC staff published Supplement 2 to NUREG-1930 (ADAMS Accession No. ML15188A383). Supplement

2 documents the NRC staff's review of supplemental information the applicant provided after the publication of Supplement 1, including information committed to by Entergy as documented in Commitment No. 30 (pertaining to reactor vessel internals), information required by 10 CFR 54.21(b), updated information and commitments, as well as information provided in response to NRC staff requests for additional information. On August 1, 2018, the NRC staff issued Supplement 3 to the SER (ADAMS Accession No. ML18200A333). Supplement 3 documents the NRC staff's review of supplemental information the applicant provided after the publication of Supplement 2, including annual updates required by 10 CFR 54.21(b), updated information to address new or updated interim staff guidance, and recent operating experience.

The NRC Record of Decision provides the results of the environmental review related to the issuance of the renewed licenses and is provided as Enclosure 9 to this letter. On December 3, 2010, the NRC staff published its environmental review in Volumes 1-3 of NUREG-1437, Supplement 38, "Generic Environmental Impact Statement for License Renewal of Nuclear Plants Regarding Indian Point Nuclear Generating Unit Nos. 2 and 3 Final Report," (ADAMS Accession No. ML103270072) ("SEIS"). On June 30, 2013, the NRC staff published a supplement to the Indian Point SEIS, Volume 4 of NUREG-1437, Supplement 38 (ADAMS Accession No. ML13162A616). Volume 4 includes corrections to impingement and entrainment data presented in the final SEIS, revised conclusions regarding thermal impacts based on newly available thermal plume studies, and updates the status of the NRC's consultation under Section 7 of the Endangered Species Act with the National Marine Fisheries Service regarding the shortnose sturgeon and Atlantic sturgeon.

On April 30, 2018, the NRC staff published a second supplement to the Indian Point SEIS in Volume 5 of NUREG-1437, Supplement 38 (ADAMS Accession No. ML18107A759). Volume 5 includes the staff's evaluation of revised engineering project cost information for severe accident mitigation alternatives (SAMAs), a summary of the results of additional sensitivity analyses to address uncertainties in the SAMA cost-benefit conclusions as directed by the Commission, newly available aquatic impact information, and the additional environmental issues associated with license renewal resulting from the NRC's June 2013 revision to Table B-1 in Appendix B to Subpart A to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 51 and the corresponding revisions to NUREG-1437, "Generic Environmental Impact Statement for License Renewal of Nuclear Plants." Volume 5 also incorporates the impact determinations of NUREG-2157, "Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel," in accordance with the requirements in 10 CFR 51.23(b). Additionally, Volume 5 describes the reinitiation of consultation under Section 7 of the Endangered Species Act (ESA) of 1973, as amended, regarding the northern long-eared bat (*Myotis septentrionalis*), the initiation of a conference under Section 7 of the Endangered Species Act for proposed critical habitat of the Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*), and an update on the status of the operating licenses for IP2 and IP3. This supplement also reflects the closure agreement signed on January 8, 2017 by the parties to legal proceedings related to the renewal of the operating licenses for IP2 and IP3.

Enclosure 1 to this letter contains the Renewed Facility Operating License No. DPR-26 for IP2.
Enclosure 2 contains IP2 Appendix A, "Technical Specifications"
Enclosure 3 contains IP2 Appendix B, "Environmental Technical Specification Requirements"
Enclosure 4 contains IP2 Appendix C, "Inter-Unit Fuel Transfer Technical Specifications"
Enclosure 5 contains Renewed Facility Operating License No. DPR-64 for IP3
Enclosure 6 contains IP3 Appendix A, "Technical Specifications"
Enclosure 7 contains IP3 Appendix B, "Environmental Technical Specification Requirements"
Enclosure 8 contains IP3 Appendix C, "Inter-Unit Fuel Transfer Technical Specifications"

Enclosure 9 contains the Record of Decision for IP2 and IP3
Enclosure 10 contains a copy of the draft *Federal Register* notice of the renewed facility operating licenses for IP2 and IP3

If you have any questions regarding this matter, please feel free to contact me by phone at 301-415-6332 or by e-mail at William.Burton@nrc.gov.

Sincerely,

/RA/

William F. Burton, Senior Project Manager
License Renewal Projects Branch
Division of Materials and License Renewal
Office of Nuclear Reactor Regulation

Docket Nos. 50-247 and 50-286

Enclosures:

1. IP2, Renewed Facility Operating License
2. IP2, Appendix A
3. IP2, Appendix B
4. IP2, Appendix C
5. IP3, Renewed Facility Operating Licenses
6. IP3, Appendix A
7. IP3, Appendix B
8. IP3, Appendix C
9. Record of Decision for IP2 and IP3
10. Copy of the *draft Federal Register Notice*

cc: Listserv

SUBJECT: ISSUANCE OF RENEWED FACILITY OPERATING LICENSE NOS. DPR-26 AND DPR-64 FOR INDIAN POINT NUCLEAR GENERATING UNIT NOS. 2 AND 3 (CAC NOS. MD5407 AND MD5408)

DISTRIBUTION:

E-MAIL:

PUBLIC

RidsNrrDmlr Resource
 RidsNrrPM Indian Point 2 Resource
 RidsNrrPM Indian Point 3 Resource
 RidsOgcMailCenter

ADAMS Accession Nos.:

ML18211A584 (Package), ML18211A596 (Letter),
 ML18213A104 (IP2 Renewed License),
 ML18212A181 (IP2 Appendix A),
 ML18212A185 (IP2 Appendix B),
 ML18212A188 (IP2 Appendix C),
 ML18213A114 (IP3 Renewed License)
 ML18212A190 (IP3 Appendix A)
 ML18212A194 IP3 Appendix B
 ML18212A195 IP3 Appendix C
 ML18212A032 (Record of Decision),
 ML18211A578 (Federal Register Notice)

*concurrence via email

OFFICE	PM:MRBP:DMLR	LA: MRPB:DMLR	PM:DORL	BC:DORL
NAME	WBurton	YEdmonds	RGuzman	JDanna
DATE	9/5/2018	8/6/2018	8/3/2018	8/3/2018
OFFICE	TECH ED	BC:MENB:DMLR	BC:MRPB:DMLR	OGC (NLO)*
NAME	CHsu	BBeasley	EOesterle	STurk*
DATE	8/8/2018	9/4/2018	9/5/2018	9/6/2018
OFFICE	D:DMLR	D:NRR	PM:MRPB:DMLR	
NAME	GWilson	HNieh	WBurton	
DATE	9/7/2018	9/7/2018	9/17/2018	

OFFICIAL RECORD COPY

Enclosure 1

**Indian Point Nuclear Generating Unit No. 2
Renewed Facility Operating License**

ADAMS Accession No. ML18213A104

Enclosure 2

**Indian Point Nuclear Generating Unit No. 2
Appendix A, "Technical Specifications,"**

ADAMS Accession No. ML18212A181

**No changes were made to Appendix A (Technical
Specifications)**

Enclosure 3

Indian Point Nuclear Generating Unit No. 2 Appendix B “Environmental Technical Specification Requirements”

ADAMS Accession No. ML18212A185

Appendix B of the Indian Point Nuclear Generating Unit No. 1 and Unit No. 2 renewed license (Environmental Technical Specification Requirements) has been revised to clarify that the NRC will rely on the National Marine Fisheries Service for any requirements pertaining to aquatic monitoring of federally-listed sturgeon.

Enclosure 4

Indian Point Nuclear Generating Unit No. 2

Appendix C, “Inter-Unit Fuel Transfer Technical Specifications”

ADAMS Accession No. ML18212A188

No changes were made to Appendix C (Inter-Unit Fuel Transfer Technical Specifications).

Enclosure 5

**Indian Point Nuclear Generating Unit No. 3
Renewed Facility Operating License**

ADAMS Accession No. ML18213A114

Enclosure 6

**Indian Point Nuclear Generating Unit No. 3
Appendix A “Technical Specifications”**

ADAMS Accession No. ML18212A190

**No changes were made to Appendix A (Technical
Specifications)**

Enclosure 7

Indian Point Nuclear Generating Unit No. 3 Appendix B “Environmental Technical Specification Requirements”

ADAMS Accession No. ML18212A194

Appendix B of the Indian Point Nuclear Generating Unit No. 3 renewed license (Environmental Technical Specification Requirements) has been revised to clarify that the NRC will rely on the National Marine Fisheries Service for any requirements pertaining to aquatic monitoring of federally-listed sturgeon.

Enclosure 8

Indian Point Nuclear Generating Unit No. 3

Appendix C, “Inter-Unit Fuel Transfer Technical Specifications”

ADAMS Accession No. ML18212A195

No changes were made to Appendix C (Inter-Unit Fuel Transfer Technical Specifications).

Enclosure 9

**Indian Point Nuclear Generating Unit Nos. 2 and 3
Record of Decision**

ADAMS Accession No. ML18212A032

Enclosure 10

**Copy of the Draft Federal Register Notice of Renewed
Facility Operating Licenses for Indian Point Nuclear
Generating Unit Nos. 2 and 3**

ADAMS Accession No. ML18211A578