



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

HOLTEC DECOMMISSIONING INTERNATIONAL, LLC AND

HOLTEC INDIAN POINT 2, LLC

DOCKET NO. 50-003

INDIAN POINT NUCLEAR GENERATING STATION, UNIT NO. 1

AMENDMENT TO PROVISIONAL OPERATING LICENSE

Amendment No. XX
License No. DPR-5

1. The U.S. Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment filed by Entergy Nuclear Operations, Inc., on behalf of itself; Entergy Nuclear Indian Point 2, LLC; Entergy Nuclear Indian Point 3, LLC; Holtec International; and Holtec Decommissioning International, LLC, dated November 21, 2019, as supplemented by letters dated December 19, 2019; January 17, 2020; February 12, 2020; and August 7, 2020, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations, and all applicable requirements have been satisfied.

2. Accordingly, Provisional Operating License No. DPR-5 is amended as indicated in the attachment to this license amendment.
3. This license amendment is effective as of its date of issuance and shall be implemented within 30 days from that date.

FOR THE NUCLEAR REGULATORY COMMISSION

Patricia K. Holahan, Director
Division of Decommissioning, Uranium Recovery,
and Waste Programs
Office of Nuclear Material Safety and Safeguards

Attachments:
Changes to License No. DPR-5
and Appendix A

Date of Issuance:

DRAFT

ATTACHMENT TO LICENSE AMENDMENT NO. XX

INDIAN POINT NUCLEAR GENERATING STATION, UNIT NO. 1

PROVISIONAL OPERATING LICENSE NO. DPR-5

DOCKET NO. 50-003

Replace the following pages of Provisional Operating License No. DPR-5 and Appendix A, Technical Specifications, with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Provisional Operating License No DPR-5

Remove Pages

Title Page

-2- through -3-

-5- through -6-

Insert Pages

Revised Title Page

-2- through -3-

-5- through -6-

Appendix A, Technical Specifications

Remove Pages

Title Page

Page 1

Page 2

Page 3

Insert Pages

Revised Title Page

Page 1

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

HOLTEC INDIAN POINT 2, LLC AND
HOLTEC DECOMMISSIONING INTERNATIONAL, LLC

DOCKET NO. 50-003

INDIAN POINT NUCLEAR GENERATING STATION, UNIT NO. 1

AMENDMENT TO PROVISIONAL OPERATING LICENSE

Amendment No.
License No. DPR-5

The U.S. Nuclear Regulatory Commission (the Commission) has found that:

- A. The application for amendment by Holtec Decommissioning International, LLC (HDI) (the licensee), dated November 21, 2019, as supplemented by letters dated December 19, 2019; January 17, 2020; February 12, 2020; and August 7, 2020, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter 1;
- B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
- C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
- D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
- E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations, and all applicable requirements have been satisfied.

Accordingly, License No. DPR-5 is hereby amended as indicated in the attachment to this license amendment, and paragraphs 3.B and 9 of Provisional Operating License No. DPR-5 are hereby amended to read as follows:

1. This license applies to the utilization facility consisting of a pressurized water reactor (hereinafter referred to as "the reactor"), and associated components and equipment hereinafter specified, which is owned by Holtec Indian Point 2, LLC (Holtec IP2), located in Westchester County, New York, and described in the amended and Substituted Application for Licenses dated November 30, 1960, as amended; in the Application for License amendment dated April 6, 1965, as supplemented May 6, 1965; and in the Application for License amendment dated December 3, 1965 (hereinafter referred to as 'the application'), and which is a part of the electric generating plant which has been designated by Holtec IP2 as the Indian Point Station Unit No. 1.

Amendment No.

2. Subject to the conditions and requirements incorporated herein, the U.S. Nuclear Regulatory Commission (hereinafter referred to as "the Commission") hereby licenses:
- a) Holtec IP2 and HDI, pursuant to Section 104b. of the Act and Title 10 CFR Part 50, "Licensing of Production and Utilization Facilities," to possess but not operate the facility at the designated location in Westchester County, New York, in accordance with the procedures and limitations described in the application and this license;
 - b) HDI, pursuant to the Act and 10 CFR Part 70, to receive and possess up to 1918 kilograms of contained uranium-235 previously received for reactor operation;
 - c) Deleted;
 - d) Deleted;
 - e) HDI, pursuant to the Act and 10 CFR Parts 30 and 70, to receive and possess, but not to separate, such byproduct and special materials as were produced by the prior operation of the facility;
 - f) Deleted.
3. This license shall be deemed to contain and is subject to the conditions specified in Sections 50.54 and 50.59 of Part 50, Section 70.32 of Part 70, Section 40.41 of Part 40, and Section 30.32 of Part 30 of the Commission's regulations; is subject to all applicable provisions of the Act and rules, regulations and orders of the Commission now and hereafter in effect; and is subject to the additional conditions specified below:
- a) Maximum Power Level
HDI is prohibited from taking the reactor to criticality, and the facility shall not be operated at any power level.
 - b) Technical Specifications
The Technical Specifications contained in Appendices A and B, as revised through Amendment No. , are hereby incorporated in the license. HDI shall maintain the facility in accordance with the Technical Specifications.
 - c) Records
In addition to those otherwise required under this license and applicable regulations, HDI shall keep the following records:
 1. Reactor operating records, including power levels and period of operation at each power level.

2. Records showing the radioactivity released or discharged into the air or water beyond the effective control of HDI as measured at or prior to the point of such release or discharge.
 3. Records of scrams, including reasons therefor.
 4. Records of principal maintenance operations involving substitution or replacement of facility equipment or components and the reasons therefor.
 5. Records of radioactivity measurements at on-site and off-site monitoring stations.
 6. Records of facility tests and measurements performed pursuant to the requirements of the Technical Specifications.
- d) HDI shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822), and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans¹ for the Indian Point Energy Center, which contain Safeguards Information protected under 10 CFR 73.21, is entitled: "Physical Security, Training and Qualification, and Safeguards Contingency Plan, Revision 0," and was submitted by letter dated October 14, 2004, as supplemented by letter dated May 18, 2006.

HDI shall fully implement and maintain in effect all provisions of the Commission-approved cyber security plan (CSP), including changes made pursuant to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The HDI CSP was approved by License Amendment No. 55, as supplemented by changes approved by License Amendment Nos. 57, 59, and 60.

HDI has been granted Commission authorization to use "stand alone preemption authority" under Section 161A of the Atomic Energy Act, 42 U.S.C. 2201a with respect to the weapons described in Section II supplemented with Section III of Attachment 1 to its application submitted by letter dated August 20, 2013, as supplemented by letters dated November 21, 2013, and July 24, 2014, and citing letters dated April 27, 2011, and January 4, 2012. HDI shall fully implement and maintain in effect the provisions of the Commission-approved authorization.

¹The Training and Qualification Plan and Safeguards Contingency Plan are Appendices to the Security Plan.

- o) An instrument system, including detectors, transmitters, amplifiers, receivers and controllers, panel boards and necessary circuitry to control the reactor and associated systems.
 - p) A radiation monitoring system, including detectors and measuring devices.
 - q) Secondary coolant system.
 - r) Auxiliary steam system.
 - s) Condensate and make-up water storage facilities.
 - t) Circulating system.
 - u) Component drain system.
 - v) Sampling system.
 - w) Electrical system excluding transmission lines and the Buchanan substation to the extent that they are not covered in the Technical Specifications.
6. Deleted
- (a) Deleted
 - (b) Provisional Trust
 - (i) The provisional trust agreement must be in a form acceptable to the NRC.
 - (ii) Investments in the securities or other obligations of Holtec International or its affiliates, subsidiaries, successors, or assigns are and shall be prohibited. Except for investments tied to market indexes or other non-nuclear-sector mutual funds, investments in any entity owning one or more nuclear power plants are and shall be prohibited.
 - (iii) The provisional trust agreement must provide that no disbursements or payments from the trust, other than for ordinary administrative expenses, shall be made by the trustee unless the trustee has first given the Director of the Office of Nuclear Reactor Regulation 30 days prior written notice of payment. The provisional trust agreement shall further contain a provision that no disbursements or payments from the trust shall be made if the trustee receives prior written notice of objection from the NRC.
 - (iv) The provisional trust agreement must provide that the agreement cannot be amended in any material respect, or terminated, without 30 days prior written notification to the Director of the Office of Nuclear Reactor Regulation.

- (v) The appropriate section of the provisional trust agreement shall state that the trustee, investment advisor, or anyone else directing the investments made in the trust shall adhere to a "prudent investor" standard, as specified in 18 CFR 35.32(a)(3) of the Federal Energy Regulatory Commission's regulations.
- (vi) Use of assets in the provisional trust, in the first instance, shall be limited to the expenses related to decommissioning IP1 or IP2 as defined by the NRC in its regulations and issuances, and as provided in this license and any amendments thereto.

(c) Deleted

7. Deleted

8. Deleted

9. The approved Decommissioning Plan supplements the Final Safety Analysis Report (FSAR) and the licensee may (i) make changes in the facility or procedures as described in the FSAR or the Decommissioning Plan and (ii) conduct tests, or experiments not described in the FSAR or Decommissioning Plan, without prior Commission approval, provided the requirements of 10 CFR 50.59 and 10 CFR 50.82(a)(6) and (7) are satisfied.

10. The amended license is effective as of the date of issuance, shall be Implemented within 30 days, and shall expire at midnight, September 28, 2013.

FOR THE ATOMIC ENERGY COMMISSION

Original signed by
E. G. Case

R.L. Doan, Director
Division of Reactor Licensing

Date of Issuance: October 29, 1965

Appendix A to
Provisional Operating License DPR-5
for
Holtec Indian Point 2, LLC and
Holtec Decommissioning International, LLC

Indian Point Station

Unit No. 1

Docket No. 50-3

Amendment No.

Appendix A to
Provisional Operating License DPR-5
For the
Holtec Indian Point 2, LLC and
Holtec Decommissioning International, LLC

1.0 GENERAL INFORMATION

The facility, known as the Indian Point Station Unit No. 1, is located on a site in the Village of Buchanan, Westchester County, New York. The Indian Point Station Unit No. 2 and the Indian Point Station Unit No. 3 share this site.

Indian Point Unit No. 1 includes a pressurized water reactor, which operated with an authorized maximum steady state power level of 615 thermal megawatts until October 31, 1974. Pursuant to the June 19, 1980 "Commission Order Revoking Authority to Operate Facility" and the "Decommissioning Plan for Indian Point Unit No. 1" approved by the NRC in an Order dated January 31, 1996, the reactor remains in a defueled status and the unit continues to operate as a support facility for overall Indian Point Units 1 and 2 operations. Unit No. 1 and Unit No. 2 are physically contiguous and share a number of systems and facilities as well as a common operating organization. The technical specifications contained herein recognize this commonality as well as the intended use of the Unit No. 1 facilities to support Unit No. 2 until retirement of that unit, and contain specific references to Appendix A to the Indian Point Unit No. 2 Facility Operating License No. DPR-26. Unit No. 1 contains radioactive waste processing facilities, which provide waste processing services for both Unit No. 1 and Unit No. 2. Radiological effluent limits are met on an overall site basis and specific operating limits and surveillance requirements for effluent monitoring instrumentation, including stack noble gas monitoring, are discussed in the Offsite Dose Calculation Manual.

1.1 Definitions

4.1.1 Final Safety Analysis Report

The final Safety Analysis Report (FSAR) for Indian Point Unit. 1, shall be deemed to refer to , as appropriate, the "Final Hazards Summary Report for the Consolidated Edison Indian Point Reactor Core B" and the following exhibits, which are a part of the original license application for IP1:

- Docket 50-3 Exhibit K-5 (Rev. 1), "Hazards Summary Report Consolidated Edison Thorium Reactor: (January, 1960) Figures 1-2, 1-3, 3-14 only.
- Docket 50-3 Exhibit K-5A 11, "Supplementary Information on Plant Design of Consolidated Edison Nuclear Steam Generating Station," (August 1960) Section 3.7.1, pages 171 through 176 only and Section 3.7.2.

4.1.2 Operable-Operability

A system, subsystem, train, component or device shall be operable or have operability when it is capable of performing its intended safety function(s). Implicit in this definition shall be the assumption that necessary instrumentation, controls, electrical power sources, cooling or seal water, lubrication or other auxiliary equipment that are required for the system, subsystem, train, component, or device to perform its safety function(s) are also capable of performing their related support functions.

4.1.3 Offsite Dose Calculation Manual (ODCM)

The Offsite Dose Calculation Manual contains the current methodology and parameters used in the calculation of offsite doses due to radioactive gaseous and liquid effluents, in the calculation of gaseous and liquid effluent monitoring alarm/trip setpoints, and in the conduct of the environmental radiological monitoring program. Requirements for the ODCM are specified in Appendix A to the Indian Point Nuclear Generating Unit No. 2 Facility Operating License No. DPR-26.

4.1.4 Site Boundary

The Site Boundary is that line beyond which the land is neither owned, leased, nor otherwise controlled by either Holtec IP2, HDI, or other site licensee.

4.1.5 Unrestricted Area

An Unrestricted Area is any area at or beyond the Site Boundary, access to which is not controlled by either Holtec IP2, HDI, or other site licensee for purposes of protection of individuals from radiation and radioactive materials.

1.2 Exclusion Distance

4.2.1 The minimum distance from the reactor facility to the nearest land boundary of the exclusion area, as defined in 10 CFR 100 shall be 1400 feet.

4.2.2 The minimum distance from the reactor center line to the boundary of the site exclusion area and the outer boundary of the low population zone as defined in 10 CFR 100.3 is 460 meters and 1100 meters, respectively.

1.3 Principal Activities

The principal activities carried on within the Exclusion Area shall be the generation, transmission and distribution of steam and electrical energy (except by gas-fired power plant); associated service activities; activities relating to the controlled conversion of the atomic energy of fuel to heat energy by the process of nuclear fission; and the storage, utilization and production of special nuclear, source and byproduct materials. Transmission and distribution of natural gas shall be through the use of facilities located as described in the application as amended.



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

HOLTEC DECOMMISSIONING INTERNATIONAL, LLC AND

HOLTEC INDIAN POINT 2, LLC

DOCKET NO. 50-247

INDIAN POINT NUCLEAR GENERATING UNIT NO. 2

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. XXX
License No. DPR-26

1. The U.S. Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment filed by Entergy Nuclear Operations, Inc., on behalf of itself; Entergy Nuclear Indian Point 2, LLC; Entergy Nuclear Indian Point 3, LLC; Holtec International; and Holtec Decommissioning International, LLC, dated November 21, 2019, as supplemented by letters dated December 19, 2019; January 17, 2020; February 12, 2020; and August 7, 2020, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations, and all applicable requirements have been satisfied.

2. Accordingly, Renewed Facility Operating License No. DPR-26 is amended as indicated in the attachment to this license amendment.
3. This license amendment is effective as of its date of issuance and shall be implemented within 30 days from that date.

FOR THE NUCLEAR REGULATORY COMMISSION

Ho K. Nieh, Director
Office of Nuclear Reactor Regulation

Attachments:
Changes to License No. DPR-26 and
Appendices A, B, and C

Date of Issuance:

DRAFT

ATTACHMENT TO LICENSE AMENDMENT NO. XXX

INDIAN POINT NUCLEAR GENERATING UNIT NO. 2

RENEWED FACILITY OPERATING LICENSE NO. DPR-26

DOCKET NO. 50-247

Replace the following pages of Renewed Facility Operating License No. DPR-26; Appendix A, Permanently Defueled Technical Specifications; Appendix B, Environmental Technical Specification Requirements; and Appendix C, Inter-Unit Fuel Transfer Technical Specifications, with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Renewed Facility Operating License No. DPR-26

Remove Pages

Title Page

-2- through -8-

Insert Pages

Revised Title Page

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Appendix A, Permanently Defueled Technical Specifications

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Title Page

5.3-1

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Revised Title Page

5.3-1

Appendix B, Environmental Technical Specification Requirements

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Title Page

4-2

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Revised Title Page

4-2

Appendix C, Inter-Unit Fuel Transfer Technical Specifications

Remove Pages

Part I Title Page

Part II Title Page

Insert Pages

Revised Part I Title Page

Revised Part II Title Page



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

HOLTEC INDIAN POINT 2, LLC AND
HOLTEC DECOMMISSIONING INTERNATIONAL, LLC
DOCKET NO. 50-247
INDIAN POINT NUCLEAR GENERATING UNIT NO. 2
RENEWED FACILITY OPERATING LICENSE

Renewed License No. DPR-26

1. The Nuclear Regulatory Commission (the Commission) having found that:
 - A. The application for a renewed license filed by Entergy Nuclear Indian Point 2, LLC (ENIP2) and Entergy Nuclear Operations, Inc. (ENO), for Indian Point Nuclear Generating Unit No. 2 at the Indian Point Energy Center (IPEC) complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations as set forth in 10 CFR Chapter I;
 - B. Construction of the Indian Point Nuclear Generating Unit No. 2 (IP2 or facility) has been substantially completed in conformity with provisional Construction Permit No. CPPR-21, as amended, and the application, as amended, the provisions of the Act and the rules and regulations of the Commission;
 - C. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission;
 - D. There is reasonable assurance: (i) that the activities authorized by this renewed operating license can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the rules and regulations of the Commission;
 - E. Holtec Decommissioning International, LLC (HDI) is technically and financially qualified and Holtec Indian Point 2, LLC (Holtec IP2) is financially qualified to engage in the activities authorized by this renewed license in accordance with the rules and regulations of the Commission;
 - F. Holtec IP2 and HDI have satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements," of the Commission's regulations;
 - G. The issuance of this renewed license will not be inimical to the common defense and security or to the health and safety of the public;

- H. After weighing the environmental, economic, technical, and other benefits of the facility against environmental costs and considering available alternatives, the issuance of this renewed Facility Operating License No. DPR-26, subject to the conditions for the protection of the environment set forth herein, is in accordance with 10 CFR Part 51, Appendix B, of the Commission's regulations and all applicable requirements of said Appendix B have been satisfied;
 - I. The receipt, possession, and use of source, byproduct and special nuclear material as authorized by this renewed license will be in accordance with the Commission's regulations in 10 CFR Parts 30, 40, and 70, including 10 CFR Sections 30.33, 40.32, 70.23, and 70.31; and
 - J. Actions have been identified and have been or will be taken with respect to (1) managing the effects of aging during the period of extended operation on the functionality of structures and components that have been identified to require review under 10 CFR 54.21(a)(1); and (2) time-limited aging analyses that have been identified to require review under 10 CFR 54.21(c), such that there is reasonable assurance that the activities authorized by this renewed license will continue to be conducted in accordance with the current licensing basis, as defined in 10 CFR 54.3, for the facility, and that any changes made to the facility's current licensing basis in order to comply with 10 CFR 54.29(a) are in accordance with the Act and the Commission's regulations.
2. Renewed Facility Operating License No. DPR-26 is hereby issued to Holtec IP2 and HDI to read as follows:
- A. This renewed license applies to the Indian Point Nuclear Generating Unit No. 2, a pressurized water nuclear reactor and associated equipment (the facility), which is owned by Holtec IP2 and operated by HDI. The facility is located in Westchester County, New York, on the east bank of the Hudson River in the Village of Buchanan, and is described in the "Final Facility Description and Safety Analysis Report", as supplemented and amended, and the Environmental Report, as amended.
 - B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses:
 - (1) Pursuant to Section 104b of the Act and 10 CFR Part 50, "Licensing of Production and Utilization Facilities", (a) Holtec IP2 to possess and use, and (b) HDI to possess, use and operate, the facility at the designated location in Westchester County, New York, in accordance with the procedures and limitations set forth in this renewed license;
 - (2) HDI pursuant to the Act and 10 CFR Part 70, to receive, possess, and use, at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Final Facility Description and Safety Analysis Report, as supplemented and amended and as described in the Commission's authorization through Amendment No. 75 to this license.

- (3) HDI pursuant to the Act and 10 CFR Parts 30, 40, and 70, to receive, possess and use, at any time any byproduct, source and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;
- (4) HDI pursuant to the Act and 10 CFR Parts 30, 40, and 70, to receive, possess, and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components;
- (5) HDI pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the facility.

C. This renewed license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter I: Part 20, Section 30.34 of Part 30, Section 40.41 of Part 40, Sections 50.54 and 50.59 of Part 50, and Section 70.32 of Part 70; is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

(1) Maximum Power Level

HDI is authorized to operate the facility at steady state reactor core power levels not in excess of 3216 megawatts thermal

(2) Technical Specifications

The Technical Specifications contained in Appendices A, B, and C, as revised through Amendment No. _____, are hereby incorporated in the renewed license. HDI shall operate the facility in accordance with the Technical Specifications.

(3) The following conditions relate to the amendment approving the conversion to Improved Standard Technical Specifications:

1. This amendment authorizes the relocation of certain Technical Specification requirements and detailed information to licensee controlled documents as described in Table R, "Relocated Technical Specifications from the CTS," and Table LA, "Removed Details and Less Restrictive Administrative Changes to the CTS" attached to the NRC staff's Safety Evaluation enclosed with this amendment. The relocation of requirements and detailed information shall be completed on or before the implementation of this amendment.

2. The following is a schedule for implementing surveillance requirements (SRs):

For SRs that are new in this amendment, the first performance is due at the end of the first surveillance interval that begins on the date of implementation of this amendment.

For SRs that existed prior to this amendment whose intervals of performance are being reduced, the first reduced surveillance interval begins upon completion of the first surveillance performed after the date of implementation of this amendment.

For SRs that existed prior to this amendment that have modified acceptance criteria, the first performance is due at the end of the first surveillance interval that began on the date the surveillance was last performed prior to the date of implementation of this amendment.

For SRs that existed prior to this amendment whose intervals of performance are being extended, the first extended surveillance interval begins upon completion of the last surveillance performed prior to the date of implementation of this amendment.

- D. (1) Deleted per Amdt. 82, 12-11-82.
(2) Deleted per Amendment 238.
- E. Deleted per Amdt. 71, dated 8-5-81, effective 5-14-81.
- F. This renewed license is also subject to appropriate conditions by the New York State Department of Environmental Conservation in its letter granting a Section 401 certification under the Federal Water Pollution Control Act amendments of 1972.
- G. Pursuant to Section 50.60 of 10 CFR Part 50, paragraph 4 of Provisional Construction Permit No. CPPR-21 allocating quantities of special nuclear material, together with the related estimated schedules contained in Appendix A attached to said provisional construction permit, shall remain in effect.
- H. HDI shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822), and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans¹ for the Indian Point Energy Center, which contain Safeguards Information protected under 10 CFR 73.21, is entitled: "Physical Security, Training and Qualification, and Safeguards Contingency Plan, Revision 0," and was submitted by letter dated October 14, 2004, as supplemented by letter dated May 18, 2006.

¹ The Training and Qualification Plan and Safeguards Contingency Plan are Appendices to the Security Plan.

HDI shall fully implement and maintain in effect all provisions of the Commission-approved cyber security plan (CSP), including changes made pursuant to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The HDI CSP was approved by License Amendment No. 266, as supplemented by changes approved by License Amendment Nos. 279, 284, and 286.

HDI has been granted Commission authorization to use "stand alone preemption authority" under Section 161A of the Atomic Energy Act, 42 U.S.C. 2201a with respect to the weapons described in Section II supplemented with Section III of Attachment 1 to its application submitted by letter dated August 20, 2013, as supplemented by letters dated November 21, 2013, and July 24, 2014, and citing letters dated April 27, 2011, and January 4, 2012. HDI shall fully implement and maintain in effect the provisions of the Commission-approved authorization.

- I. Deleted per Amdt. 133, 7-6-88.
- J. Deleted per Amdt. 133, 7-6-88.
- K. HDI shall implement and maintain in effect all provisions of the NRC-approved fire protection program as described in the Updated Final Safety Analysis Report for the facility and as approved in Safety Evaluations Reports dated November 30, 1977, February 3, 1978, January 31, 1979, October 31, 1980, August 22, 1983, March 30, 1984, October 16, 1984, September 16, 1985, November 13, 1985, March 4, 1987, January 12, 1989, and March 26, 1996. HDI may make changes to the NRC- approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.
- L. Deleted per Amendment 238
- M. Deleted per Amendment 238
- N. Mitigation Strategy License Condition

The licensee shall develop and maintain strategies for addressing large fires and explosions and that include the following key areas:

- (a) Fire fighting response strategy with the following elements:
 - 1. Pre-defined coordinated fire response strategy and guidance
 - 2. Assessment of mutual aid fire fighting assets
 - 3. Designated staging areas for equipment and materials
 - 4. Command and control
 - 5. Training of response personnel
- (b) Operations to mitigate fuel damage considering the following:
 - 1. Protection and use of personnel assets
 - 2. Communications
 - 3. Minimizing fire spread
 - 4. Procedures for implementing integrated fire response strategy
 - 5. Identification of readily-available pre-staged equipment
 - 6. Training on integrated fire response strategy

- (c) Actions to minimize release to include consideration of:
 - 1. Water spray scrubbing
 - 2. Dose to onsite responders

O. Control Room Envelope Habitability

Upon implementation of Amendment No. 258 adopting TSTF-448, Revision 3 (as supplemented), the determination of control room envelope (CRE) unfiltered air inleakage as required by Technical Specification (TS) Surveillance Requirement (SR) 3.7.10.4, in accordance with TS 5.5.16.c.(i), the assessment of CRE habitability as required by TS 5.5.16.c.(ii), and the measurement of CRE pressure as required by TS 5.5.16.d, shall be considered met. Following implementation:

- (a) The first performance of SR 3.7.10.4, in accordance with TS 5.5.16.c.(i), shall be within the next 18 months since the time period since the most recent successful tracer gas test is greater than 6 years.
- (b) The first performance of the periodic assessment of CRE habitability, TS 5.5.16.c.(ii), shall be within the next 9 months since the time period since the most recent successful tracer gas test is greater than 3 years.
- (c) The first performance of the periodic measurement of CRE pressure, TS 5.5.16.d, shall be within 24 months, plus the 182 days allowed by SR 3.0.2, as measured from January 4, 2007, the date of the most recent successful pressure measurement test.

P. HDI may transfer IP3 spent fuel to the IP2 spent fuel pit subject to the conditions listed in Appendix C. HDI is further authorized to transfer IP3 spent fuel into NRC approved storage casks for onsite storage by HDI and Holtec Indian Point 3, LLC.

Q. License Renewal License Conditions

- (1) The information in the UFSAR supplement, submitted pursuant to 10 CFR 54.21(d) and as revised during the license renewal application review process, and licensee commitments as listed in Appendix A of the "Safety Evaluation Report Related to the License Renewal of Indian Point Nuclear Generating Units 2 and 3," (SER) and supplements to the SER, are collectively the "License Renewal UFSAR Supplement." The UFSAR Supplement is henceforth part of the UFSAR, which will be updated in accordance with 10 CFR 50.71(e). As such, the licensee may make changes to the programs, activities, and commitments described in the UFSAR Supplement, provided the licensee evaluates such changes pursuant to the criteria set forth in 10 CFR 50.59, "Changes, Tests, and Experiments," and otherwise complies with the requirements in that section.
- (2) The License Renewal UFSAR Supplement, as defined in license condition Q(1) above, describes certain programs to be implemented and activities to be completed prior to the period of extended operation (PEO).

- a. The licensee shall implement those new programs and enhancements to existing programs no later than the date specified in the License Renewal UFSAR Supplement.
 - b. The licensee shall complete those activities no later than the date specified in the License Renewal UFSAR Supplement.
 - c. The licensee shall notify the NRC in writing within 30 days after having accomplished item (2)a above and include the status of those activities that have been or remain to be completed in item (2)b above.
3. Deleted
- (a) Deleted
 - (b) Provisional Trust:
 - (i) The provisional trust agreement must be in a form acceptable to the NRC.
 - (ii) Investments in the securities or other obligations of Holtec International or its affiliates, subsidiaries, successors, or assigns are and shall be prohibited. Except for investments tied to market indexes or other non-nuclear-sector mutual funds, investments in any entity owning one or more nuclear power plants are and shall be prohibited.
 - (iii) The provisional trust agreement must provide that no disbursements or payments from the trust, other than for ordinary administrative expenses, shall be made by the trustee unless the trustee has first given the Director of the Office of Nuclear Reactor Regulation 30 days prior written notice of payment. The provisional trust agreement shall further contain a provision that no disbursements or payments from the trust shall be made if the trustee receives prior written notice of objection from the NRC.
 - (iv) The provisional trust agreement must provide that the agreement cannot be amended in any material respect, or terminated, without 30 days prior written notification to the Director of the Office of Nuclear Reactor Regulation.
 - (v) The appropriate section of the provisional trust agreement shall state that the trustee, investment advisor, or anyone else directing the investments made in the trust shall adhere to a "prudent investor" standard, as specified in 18 CFR 35.32(a)(3) of the Federal Energy Regulatory Commission's regulations.
 - (vi) Use of assets in the provisional trust, in the first instance, shall be limited to the expenses related to decommissioning IP2 or IP1 as defined by the NRC in its regulations and issuances, and as provided in this license and any amendments thereto.
 - (c) Deleted
4. Deleted
5. Deleted

6. This renewed license is effective as of the date of issuance, and until the Commission notifies the licensee in writing that the license is terminated.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Ho K. Nieh, Director
Office of Nuclear Reactor Regulation

Attachments:

- Appendix A – Permanently Defueled Technical Specifications
- Appendix B – Environmental Technical Specification Requirements
- Appendix C – Inter-Unit Fuel Transfer Technical Specifications

Date of Issuance: April 28, 2020

DRAFT

APPENDIX A

TO

FACILITY LICENSE DPR-26

FOR

**HOLTEC INDIAN POINT 2, LLC AND
HOLTEC DECOMMISSIONING INTERNATIONAL, LLC**

INDIAN POINT NUCLEAR GENERATING PLANT UNIT NO. 2

DOCKET NO. 50-247

PERMANENTLY DEFUELED TECHNICAL SPECIFICATIONS AND BASES

DRAFT

Amendment No.

5.0 ADMINISTRATIVE CONTROLS

5.3 Facility Staff Qualifications

5.3.1 Each member of the facility staff shall meet or exceed the minimum qualifications of ANSI/ANS 3.1-1978 for comparable positions with exceptions specified in the Holtec Quality Assurance Program Manual (QAPM).

5.3.2 An NRC-approved training and retraining program for CERTIFIED FUEL HANDLERS shall be maintained.

DRAFT

APPENDIX B
TO
FACILITY LICENSE
FOR
HOLTEC INDIAN POINT 2, LLC AND
HOLTEC DECOMMISSIONING INTERNATIONAL, LLC
INDIAN POINT NUCLEAR GENERATING
UNITS NUMBERS 1 AND 2
ENVIRONMENTAL TECHNICAL SPECIFICATION
REQUIREMENTS
NON-RADIOLOGICAL ENVIRONMENTAL PROTECTION PLAN
FACILITY LICENSE NOS. DPR-5 AND DPR-26
DOCKET NUMBERS 50-3 AND 50-247

Holtec Decommissioning International, LLC shall adhere to the requirements within the Incidental Take Statement of the currently applicable Biological Opinion. Changes to the Biological Opinion, including the Incidental Take Statement, Reasonable and Prudent Measures, and Terms and Conditions contained therein, must be preceded by consultation between the NRC, as the authorizing agency, and the NMFS.

DRAFT

APPENDIX C

TO

FACILITY LICENSE FOR

HOLTEC INDIAN POINT 2, LLC (HOLTEC IP2)

AND

HOLTEC DECOMMISSIONING INTERNATIONAL, LLC (HDI)

INDIAN POINT NUCLEAR

GENERATING UNIT NO. 2

INTER-UNIT FUEL TRANSFER TECHNICAL SPECIFICATIONS

PART I: SPENT FUEL TRANSFER CANISTER AND TRANSFER CASK SYSTEM

FACILITY LICENSE NO. DPR-26

DOCKET NO. 50-247

Amendment No.

APPENDIX C
TO
FACILITY LICENSE FOR
HOLTEC INDIAN POINT 2, LLC (HOLTEC IP2)
AND
HOLTEC DECOMMISSIONING INTERNATIONAL, LLC (HDI)

INDIAN POINT NUCLEAR
GENERATING UNIT NO. 2

INTER-UNIT FUEL TRANSFER TECHNICAL SPECIFICATIONS

PART II: TECHNICAL SPECIFICATIONS

FACILITY LICENSE NO. DPR-26
DOCKET NO. 50-247



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

HOLTEC DECOMMISSIONING INTERNATIONAL, LLC AND

HOLTEC INDIAN POINT 3, LLC

DOCKET NO. 50-286

INDIAN POINT NUCLEAR GENERATING UNIT NO. 3

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. XXX
License No. DPR-64

1. The U.S. Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment filed by Entergy Nuclear Operations, Inc., on behalf of itself; Entergy Nuclear Indian Point 2, LLC; Entergy Nuclear Indian Point 3, LLC; Holtec International; and Holtec Decommissioning International, LLC, dated November 21, 2019, as supplemented by letters dated December 19, 2019; January 17, 2020; February 12, 2020; and August 7, 2020, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations, and all applicable requirements have been satisfied.

2. Accordingly, Renewed Facility Operating License No. DPR-64 is amended as indicated in the attachment to this license amendment.
3. This license amendment is effective as of its date of issuance and shall be implemented within 30 days from that date.

FOR THE NUCLEAR REGULATORY COMMISSION

Ho K. Nieh, Director
Office of Nuclear Reactor Regulation

Attachments:
Changes to License No. DPR-64 and
Appendices A, B, and C

Date of Issuance:

DRAFT

ATTACHMENT TO LICENSE AMENDMENT NO. XXX

INDIAN POINT NUCLEAR GENERATING UNIT NO. 3

RENEWED FACILITY OPERATING LICENSE NO. DPR-64

DOCKET NO. 50-286

Replace the following pages of Renewed Facility Operating License No. DPR-64; Appendix A, Technical Specifications; Appendix B, Environmental Technical Specification Requirements; and Appendix C, Inter-Unit Fuel Transfer Technical Specifications, with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Renewed Facility Operating License No. DPR-64

Remove Pages

Title Page
-2- through -8-

Insert Pages

Revised Title Page
-2- through -8-

Appendix A, Technical Specifications

Remove Pages

Title Page
5.0-5

Insert Pages

Revised Title Page
5.0-5

Appendix B, Environmental Technical Specification Requirements

Remove Pages

Title Page
3-1
3-2
4-2
5-1
5-2

Insert Pages

Revised Title Page
3-1
3-2
4-2
5-1
5-2

Appendix C, Inter-Unit Fuel Transfer Technical Specifications

Remove Pages

Part I Title Page
Part II Title Page

Insert Pages

Revised Part I Title Page
Revised Part II Title Page



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

HOLTEC INDIAN POINT 3, LLC AND
HOLTEC DECOMMISSIONING INTERNATIONAL, LLC
DOCKET NO. 50-286
INDIAN POINT NUCLEAR GENERATING UNIT NO. 3
RENEWED FACILITY OPERATING LICENSE

Renewed License No. DPR-64

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for a renewed license filed by Entergy Nuclear Indian Point 3, LLC (ENIP3) and Entergy Nuclear Operations, Inc. (ENO) for Indian Point Nuclear Generating Unit No. 3 (IP3 at the Indian Point Energy Center (IPEC) complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations as set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this renewed license can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. Holtec Indian Point 3, LLC (Holtec IP3) and Holtec Decommissioning International, LLC (HDI) are financially and technically qualified to engage in the activities authorized by this amendment;
 - E. Holtec IP3 and HDI have satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements" of the Commission's regulations;
 - F. The issuance of this renewed license will not be inimical to the common defense and security or to the health and safety of the public;
 - G. The receipt, possession and use of source, byproduct and special nuclear material as authorized by this renewed license will be in accordance with the Commission's regulations in 10 CFR Parts 30, 40, and 70 including 10 CFR Sections 30.33, 40.32, 70.23, and 70.31;

Amendment No.

- H. The issuance of this renewed license is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied; and
 - I. Actions have been identified and have been or will be taken with respect to (1) managing the effects of aging during the period of extended operation on the functionality of structures and components that have been identified to require review under 10 CFR 54.21(a)(1); and (2) time-limited aging analyses that have been identified to require review under 10 CFR 54.21(c), such that there is reasonable assurance that the activities authorized by this renewed license will continue to be conducted in accordance with the current licensing basis, as defined in 10 CFR 54.3, for the facility, and that any changes made to the facility's current licensing basis in order to comply with 10 CFR 54.29(a) are in accordance with the Act and the Commission's regulations.
2. Accordingly, Renewed Facility Operating License No. DPR-64 is hereby issued to Holtec IP3 and HDI to read as follows:
- A. This renewed license applies to the Indian Point Nuclear Generating Unit No. 3, a pressurized water nuclear reactor and associated equipment (the facility), owned by Holtec IP3 and operated by HDI. The facility is located in Westchester County, New York, on the east bank of the Hudson River in the Village of Buchanan, and is described in the "Final Facility Description and Safety Analysis Report" as supplemented and amended, and the Environmental Report, as amended.
 - B. Subject to the conditions and requirements incorporated herein, the Commission licenses:
 - (1) Pursuant to Section 104b of the Act and 10 CFR Part 50, "Licensing of Production and Utilization Facilities," (a) Holtec IP3 to possess and use, and (b) HDI to possess, use and operate, the facility at the designated location in Westchester County, New York, in accordance with the procedures and limitations set forth in this renewed license;
 - (2) HDI pursuant to the Act and 10 CFR Part 70, to receive, possess, and use, at any time, special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Final Facility Description and Safety Analysis Report, as supplemented and amended;
 - (3) HDI pursuant to the Act and 10 CFR Parts 30, 40, and 70, to receive, possess, and use, at any time, any byproduct source and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;

- (4) HDI pursuant to the Act and 10 CFR Parts 30, 40, and 70, to receive, possess, and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration; or associated with radioactive apparatus or components.
- (5) HDI pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the facility.

C. This renewed license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter I: Part 20, Section 30.34 of Part 30, Section 40.41 of Part 40, Sections 50.54 and 50.59 of Part 50, and Section 70.32 of Part 70; and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified below:

(1) Maximum Power Level

HDI is authorized to operate the facility at steady state reactor core power levels not in excess of 3216 megawatts thermal (100% of rated power).

(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. _____, are hereby incorporated in the renewed License. HDI shall operate the facility in accordance with the Technical Specifications.

(3) (DELETED)

Amdt. 205
2-27-01

(4) (DELETED)

Amdt. 205
2-27-01

D. (DELETED)

Amdt. 46
2-16-83

E. (DELETED)

Amdt. 37
5-14-81

F. This renewed license is also subject to appropriate conditions by the New York State Department of Environmental Conservation in its letter granting a Section 401 certification under the Federal Water Pollution Control Act Amendments of 1972.

G. HDI shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822), and to the authority of 10 CFR 50.90 and CFR 50.54(p). The combined set of plans¹ for the Indian Point Energy Center, which contain Safeguards Information protected under 10 CFR 73.21, is entitled: "Physical Security, Training and Qualification, and Safeguards Contingency Plan, Revision 0," and was submitted by letter dated October 14, 2004, as supplemented by letter dated May 18, 2006.

HDI shall fully implement and maintain in effect all provisions of the Commission- approved cyber security plan (CSP), including changes made pursuant to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The HDI CSP was approved by License Amendment No. 243, as supplemented by changes approved by License Amendment Nos. 254, 260, and 263.

HDI has been granted Commission authorization to use "stand alone preemption authority" under Section 161A of the Atomic Energy Act, 42 U.S.C. 2201a with respect to the weapons described in Section II supplemented with Section III of Attachment 1 to its application submitted by letter dated August 20, 2013, as supplemented by letters dated November 21, 2013, and July 24, 2014, and citing letters dated April 27, 2011, and January 4, 2012. HDI shall fully implement and maintain in effect the provisions of the Commission-approved authorization.

H. HDI shall implement and maintain in effect all provisions of the approved Fire Protection Program as described in the Final Safety Analysis Report for Indian Point Nuclear Generating Unit No. 3 and as approved in NRC fire protection safety evaluations (SEs) dated September 21, 1973, March 6, 1979, May 2, 1980, November 18, 1982, December 30, 1982, February 2, 1984, April 16, 1984, January 7, 1987, September 9, 1988, October 21, 1991, April 20, 1994, January 5, 1995, and supplements thereto, subject to the following provision:

HDI may make changes to the approved Fire Protection Program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

- | | |
|-------------------|----------------------|
| I. <u>DELETED</u> | Amdt. 205
2-27-01 |
| J. <u>DELETED</u> | Amdt. 205
2-27-01 |
| K. <u>DELETED</u> | Amdt. 49
5-25-84 |

¹ The Training and Qualification Plan and Safeguards Contingency Plan are Appendices to the Security Plan.

- L. DELETED Amdt. 205
2-27-01

- M. DELETED Amdt. 205
2-27-01

- N. DELETED Amdt. 49
5-25-84

- O. Evaluation, status and schedule for completion of balance of plant modifications as outlined in letter dated February 12, 1983, shall be forwarded to the NRC by January 1, 1984. Amdt. 47
5-27-83

- P. DELETED

- Q. DELETED

- R. DELETED

- S. DELETED

- T. DELETED

- U. DELETED

- V. DELETED

W. DELETED

X. DELETED

AA. The following conditions relate to the amendment approving the conversion to Improved Standard Technical Specifications:

Amdt.
205
2/27/01

1. This amendment authorizes the relocation of certain Technical Specification requirements and detailed information to licensee-controlled documents as described in Table R, "Relocated Technical Specifications from the CTS," and Table LA, "Removed Details and Less Restrictive Administrative Changes to the CTS" attached to the NRC staff's Safety Evaluation enclosed with this amendment. The relocation of requirements and detailed information shall be completed on or before the implementation of this amendment.
2. The following is a schedule for implementing surveillance requirements (SRs):

For SRs that are new in this amendment, the first performance is due at the end of the first surveillance interval that begins on the date of implementation of this amendment.

For SRs that existed prior to this amendment whose intervals of performance are being reduced, the first reduced surveillance interval begins upon completion of the first surveillance performed after the date of implementation of this amendment.

For SRs that existed prior to this amendment that have modified acceptance criteria, the first performance is due at the end of the first surveillance interval that began on the date the surveillance was last performed prior to the date of implementation of this amendment.

For SRs that existed prior to this amendment whose intervals of performance are being extended, the first extended surveillance interval begins upon completion of the last surveillance performed prior to the date of implementation of this amendment.

- AB. With the reactor critical, HDI shall maintain the reactor coolant system cold leg at a temperature (T_{cold}) greater than or equal to 525 °F. HDI shall maintain a record of the cumulative time that the plant is operated with the reactor critical while T_{cold} is below 525 °F. Upon determination by HDI that the cumulative time of plant operation with the reactor critical while T_{cold} is below 525 °F has exceeded one (1) year, HDI must:
- (a) within one (1) month, inform the NRC, in writing, and
 - (b) within six (6) months submit the results of an analysis of the impact of the operation with T_{cold} below 525 °F on the pressurized thermal shock reference temperature (RT_{pts}).

AC. Mitigation Strategy License Condition

The licensee shall develop and maintain strategies for addressing large fires and explosions and that include the following key areas:

- (a) Fire fighting response strategy with the following elements:
 - 1. Pre-defined coordinated fire response strategy and guidance
 - 2. Assessment of mutual aid fire fighting assets
 - 3. Designated staging areas for equipment and materials
 - 4. Command and control
 - 5. Training of response personnel
- (b) Operations to mitigate fuel damage considering the following:
 - 1. Protection and use of personnel assets
 - 2. Communications
 - 3. Minimizing fire spread
 - 4. Procedures for implementing integrated fire response strategy
 - 5. Identification of readily-available pre-staged equipment
 - 6. Training on integrated fire response strategy
 - 7. Spent fuel pool mitigation measures
- (c) Actions to minimize release to include consideration of:
 - 1. Water spray scrubbing
 - 2. Dose to onsite responders

AD. Control Room Envelope Habitability

Upon implementation of Amendment No. 239 adopting TSTF-448, Revision 3 (as supplemented), the determination of control room envelope (CRE) unfiltered air inleakage as required by Technical Specification (TS) Surveillance Requirement (SR) 3. 7.11.4, in accordance with TS 5.5.16.c.(i), the assessment of CRE habitability as required by TS 5.5.16.c.(ii), and the measurement of CRE pressure as required by TS 5.5.16.d, shall be considered met. Following implementation:

- (a) The first performance of SR 3.7.11.4, in accordance with TS 5.5.16.c.(i), shall be within the specified Frequency of 6 years, plus the 18-month allowance of SR 3.0.2, as measured from February 1, 2005, the date of the most recent successful tracer gas test, as stated in the June 28, 2005, letter response to Generic Letter 2003-01.
 - (b) The first performance of the periodic assessment of CRE habitability, TS 5.5.16.c.(ii), shall be within the next 9 months since the time period since the most recent successful tracer gas test is greater than 3 years.
 - (c) The first performance of the periodic measurement of CRE pressure, TS 5.5.16.d, shall be within 24 months, plus the 182 days allowed by SR 3.0.2, as measured from June 18, 2007, the date of the most recent successful pressure measurement test.
- AE. HDI may transfer IP3 spent fuel to the IP2 spent fuel pit subject to the conditions listed in Appendix C. HDI is further authorized to transfer IP3 spent fuel into NRC approved storage casks for onsite storage by HDI and Holtec IP3.
- AF. License Renewal License Conditions
- (1) The information in the UFSAR supplement, submitted pursuant to 10 CFR 54.21(d) and as revised during the license renewal application review process, and licensee commitments as listed in Appendix A of the "Safety Evaluation Report Related to the License Renewal of Indian Point Nuclear Generating Units 2 and 3," (SER) and supplements to the SER, are collectively the "License Renewal UFSAR Supplement." The UFSAR Supplement is henceforth part of the UFSAR, which will be updated in accordance with 10 CFR 50.71(e). As such, the licensee may make changes to the programs, activities, and commitments described in the UFSAR Supplement, provided the licensee evaluates such changes pursuant to the criteria set forth in 10 CFR 50.59, "Changes, Tests, and Experiments," and otherwise complies with the requirements in that section.
 - (2) The License Renewal UFSAR Supplement, as defined in license condition AF(1) above, describes certain programs to be implemented and activities to be completed prior to the period of extended operation (PEO).
 - a. The licensee shall implement those new programs and enhancements to existing programs no later than the date specified in the License Renewal UFSAR Supplement.
 - b. The licensee shall complete those activities no later than the date specified in the License Renewal UFSAR Supplement.
 - c. The licensee shall notify the NRC in writing within 30 days after having accomplished item (2)a above and include the status of those activities that have been or remain to be completed in item (2)b above.

APPENDIX A
TO
FACILITY OPERATING LICENSE DPR-64
TECHNICAL SPECIFICATIONS AND BASES
FOR THE
INDIAN POINT 3 NUCLEAR GENERATING STATION UNIT NO. 3
WESTCHESTER COUNTY, NEW YORK
HOLTEC INDIAN POINT 3, LLC (HOLTEC IP3)
AND HOLTEC DECOMMISSIONING INTERNATIONAL, LLC (HDI)

DOCKET NO. 50-286

Date of Issuance:
April 15, 1976

Amendment No.

5.0 ADMINISTRATIVE CONTROLS

5.3 Unit Staff Qualifications

5.3.1 Each member of the unit staff shall meet or exceed the minimum qualifications of ANSI/ANS 3.1-1978 for comparable positions with exceptions specified in the HDI Quality Assurance Program Manual (QAPM).

5.3.2 For the purpose of 10 CFR 55.4, a licensed Senior Reactor Operator (SRO) and a licensed Reactor Operator (RO) are those individuals who, in addition to meeting the requirements of TS 5.3.1, perform the functions described in 10 CFR 50.54(m).

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APPENDIX B TO
FACILITY OPERATING LICENSE
FOR
HOLTEC INDIAN POINT 3, LLC (HOLTEC IP3)
AND
HOLTEC DECOMMISSIONING INTERNATIONAL, LLC (HDI)

INDIAN POINT 3 NUCLEAR
POWER PLANT
ENVIRONMENTAL TECHNICAL SPECIFICATION
REQUIREMENTS
PART I: NON-RADIOLOGICAL ENVIRONMENTAL PROTECTION PLAN
FACILITY LICENSE NO. DPR-64
DOCKET NUMBER 50-286

Renewed License No. DPR-64
Amendment No.

3.0 Consistency Requirements

3.1 Plant Design and Operation

HDI may make changes in station design or operations or perform tests or experiments affecting the environment provided such changes, tests or experiments do not involve an unreviewed environmental question, and do not involve a change in the Environmental Protection Plan.*

Changes in plant design or operation or performance of tests or experiments which do not affect the environment are not subject to the requirements of this EPP. Activities governed by Section 3.3 are not subject to the requirements of this section.

Before engaging in additional construction or operational activities which may affect the environment, HDI shall prepare and record an environmental evaluation of such activity. When the evaluation indicates that such activity involves an unreviewed environmental question, HDI shall provide a written evaluation of such activities and obtain prior approval from the Director, Office of Nuclear Reactor Regulation. When such activity involves a change in the Environmental Protection Plan, such activity and change to the Environmental Protection Plan may be implemented only in accordance with an appropriate license amendment as set forth in Section 5.3.

A proposed change, test or experiment shall be deemed to involve an unreviewed environmental question if it concerns (1) a matter which may result in a significant increase in any adverse environmental impact previously evaluated in the final environmental statement (FES) or final supplemental environmental impact statement (FSEIS), as modified by the staff's testimony to the Atomic Safety and Licensing Board, supplements to the FES, or FSEIS environmental impact appraisals, or in any decisions of the Atomic Safety and Licensing Board;

* This provision does not relieve HDI of the requirements of 10 CFR 50.59.

or (2) a significant change in effluent or power level; or (3) a matter not previously reviewed and evaluated in the documents specified in (1) of this Subsection which may have a significant adverse environmental impact.

HDI shall maintain records of changes in facility design or operation and of tests and experiments carried out pursuant to this subsection. These records shall include a written evaluation which provides a basis for the determination that the change, test, or experiment does not involve an unreviewed environmental question nor constitute a decrease in the effectiveness of the EPP to meet the objectives specified in Section 1.0. HDI shall include as part of its Annual Environmental Protection Plan Report (per subsection 5.4.1) brief descriptions, analyses, interpretations, and evaluations of such changes, tests and experiments.

3.2 Reporting Related to the NPDES Permits and State Certifications

Violations of the NPDES Permit or the State certification (pursuant to Section 4.1 of the Clean Water Act) shall be reported to the NRC by submittal of copies of the reports required by the NPDES Permit or certification.

Changes and additions to the NPDES Permit or the State certification shall be reported to the NRC within 30 days following the date the change is approved. If a permit or certification, in part or in its entirety, is appealed and stayed, the NRC shall be notified within 30 days following the date the stay is granted.

The NRC shall be notified of the changes to the effective NPDES Permit proposed by Holtec IP3 and HDI by providing NRC with a copy of the proposed change at the same time it is submitted to the permitting agency. The notification of a licensee-initiated change shall include a copy of the requested revision submitted to the permitting agency. HDI shall provide the NRC a copy of

Holtec Decommissioning International, LLC shall adhere to the requirements within the Incidental Take Statement of the currently applicable Biological Opinion. Changes to the Biological Opinion, including the Incidental Take Statement, Reasonable and Prudent Measures, and Terms and Conditions contained therein, must be preceded by consultation between the NRC, as the authorizing agency, and the NMFS.

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5.0 Administrative Procedures

5.1 Review and Audit

HDI shall provide a review and audit of compliance with the Environmental Protection Plan. The audits shall be conducted independently of the individual or groups responsible for performing the specific activity. A description of the organization structure utilized to achieve the independent review and audit function and results of the audit activities shall be maintained and made available for inspection.

5.2 Records Retention

Records and logs relative to the environmental aspects of plant operation shall be made and retained in a manner convenient for review and inspection. These records and logs shall be made available to the NRC on request.

Records of modifications to plant structures, systems and components determined to potentially affect the continued protection of the environment shall be retained for the life of the plant. All other records, data and logs relating to this EPP shall be retained for five years or, where applicable, in accordance with the requirements of other agencies.

5.3 Changes in Environmental Protection Plan

Requests for changes in the Environmental Protection Plan shall include an assessment of the environmental impacts of the proposed change and a supporting justification.

Implementation of such changes in the EPP shall not commence prior to NRC approval of the proposed changes in the form of a license amendment incorporating the appropriate revision to the Environmental Protection Plan. This EPP shall be retained for five years or, where applicable, in accordance with the requirements of other agencies.

5.4 Plant Reporting Requirements

5.4.1 Routine Reports

An Annual Environmental Protection Plan Report describing implementation of this EPP for the previous year shall be submitted to the NRC prior to May 1 of each year. The initial report shall be submitted prior to May 1 of the year following issuance of the operating license. The period of the first report shall begin with the date of issuance of the operating license.

The report shall include summaries and analyses of the results of the environmental protection activities required by Subsection 4.2 of this Environmental Protection Plan for the report period, including a comparison with preoperational studies, operational controls (as appropriate), and previous non-radiological environmental monitoring reports, and an assessment of the observed impacts of the plant operation on the environment. If harmful effects or evidence of trends towards irreversible damage to the environment are observed, HDI shall provide a detailed analysis of the data and a proposed course of action to alleviate the problem.

The Annual Environmental Protection Plan Report shall also include:

- (a) A list of EPP noncompliances and the corrective actions taken to remedy them.
- (b) A list of all changes in station design or operation, tests, and experiments made in accordance with Subsection 3.1 which involved a potentially significant unreviewed environmental issue.
- (c) A list of nonroutine reports submitted in accordance with Subsection 5.4.2.

APPENDIX B
TO
FACILITY OPERATING LICENSE
FOR
HOLTEC INDIAN POINT 3, LLC (HOLTEC IP3)
AND
HOLTEC DECOMMISSIONING INTERNATIONAL, LLC (HDI)
INDIAN POINT 3 NUCLEAR
POWER PLANT
ENVIRONMENTAL TECHNICAL SPECIFICATION
REQUIREMENTS
PART II: RADIOLOGICAL ENVIRONMENTAL
FACILITY LICENSE NO. DPR-64
DOCKET NUMBER 50-286

Renewed License No. DPR-64
Amendment No.

APPENDIX C
TO
FACILITY OPERATING LICENSE
FOR
HOLTEC INDIAN POINT 3, LLC (HOLTEC IP3)
AND
HOLTEC DECOMMISSIONING INTERNATIONAL, LLC (HDI)

INDIAN POINT NUCLEAR
GENERATING UNIT NO. 3

INTER-UNIT FUEL TRANSFER TECHNICAL SPECIFICATIONS
PART I: SPENT FUEL TRANSFER CANISTER AND TRANSFER CASK SYSTEM

FACILITY LICENSE NO. DPR-64
DOCKET NO. 50-286

Amendment No.

APPENDIX C TO
FACILITY OPERATING LICENSE
FOR
HOLTEC INDIAN POINT 3, LLC (HOLTEC IP3)
AND
HOLTEC DECOMMISSIONING INTERNATIONAL, LLC (HDI)

INDIAN POINT NUCLEAR
GENERATING UNIT NO. 3

INTER-UNIT FUEL TRANSFER TECHNICAL SPECIFICATIONS
PART II: TECHNICAL SPECIFICATIONS

FACILITY LICENSE NO. DPR-64
DOCKET NO. 50-286

Amendment No.