



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION I  
475 ALLENDALE ROAD  
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

March 2, 2007

Mr. Fred R. Dacimo  
Site Vice President  
Entergy Nuclear Operations, Inc.  
Indian Point Energy Center  
450 Broadway, GSB  
P.O. Box 249  
Buchanan, NY 10511-0249

SUBJECT: ANNUAL ASSESSMENT LETTER - INDIAN POINT NUCLEAR GENERATING  
UNITS 2 and 3 (REPORTS 05000247/2007001 & 05000286/2007001)

Dear Mr. Dacimo:

On February 15, 2007, the NRC staff completed its performance reviews of Indian Point Nuclear Generating Units 2 and 3. Our technical staff reviewed performance indicators (PIs) for the most recent quarter and inspection results for the period from January 1 through December 31, 2006. The purpose of this letter is to inform you of our assessment of your safety performance during this period and our plans for future inspections at your facility.

These performance reviews and enclosed inspection plans do not include physical protection information. A separate letter designated and marked as, "Exempt from Public Disclosure in accordance with 10 CFR 2.390", will include the results of our physical protection reviews and resultant inspection plans.

Overall, Indian Point Unit 2 and Unit 3 operated in a manner that preserved public health and safety and fully met all cornerstone objectives. Plant performance at Unit 2 for the most recent quarter was within the Licensee Response column of the NRC's Action Matrix based on all inspection findings being classified as having very low safety significance (Green) and all PIs indicating performance at a level requiring no additional oversight (Green). While plant performance for the most recent quarter was within the Licensee Response column of the Action Matrix, there was one inspection finding of low to moderate safety significance (White) affecting the first quarter of the assessment cycle involving degradation of the safety injection system over a period of several weeks. In December 2005, the NRC completed a supplemental inspection of this finding and concluded that Entergy's corrective actions to prevent recurrence of the underlying causes were adequate to close the White finding in the first quarter of 2006. Plant performance at Unit 3 was within the Licensee Response column of the NRC's Action Matrix throughout the assessment period based on all inspection findings being classified as having very low safety significance (Green) and all PIs indicating performance at a level requiring no additional oversight (Green). Therefore, we plan to conduct Reactor Oversight Process (ROP) baseline inspections at Indian Point Units 2 and 3.

The NRC has identified a substantive cross-cutting issue in the area of human performance at Unit 2. During this assessment period there were seven inspection findings associated with multiple reactor safety cornerstones that were attributable to procedure adequacy. These inspection findings involved operations performance of non-routine evolutions and response to plant transients, surveillance and calibration activities, and risk assessment for on-line work activities.

We understand that Entergy has recognized the cross-cutting theme in procedure adequacy and developed action plans for improvements in operations and maintenance procedures. However, we are concerned that at the time of our review in late 2006 Entergy's action plan for instrumentation and controls procedures were not sufficiently developed. Further, we are concerned that actions taken to date have not yet proven effective in substantially mitigating the cross-cutting theme as evidenced by the number of procedure adequacy issues that continue to be identified.

We will monitor your progress in this area through the baseline inspection program, including completion of a problem identification and resolution inspection sample during the second quarter of 2007 in accordance with Inspection Procedure 71152, "Identification and Resolution of Problems." The NRC will clear this substantive cross-cutting issue when Entergy has demonstrated sustainable performance improvement as evidenced by effective implementation of an appropriate corrective action plan that results in no safety significant inspection findings and a notable reduction in the overall number of inspection findings with the same causal factor.

With respect to the safety conscious work environment onsite, the NRC requested on December 21, 2006, [ADAMS Ref. ML063560335] that Entergy provide its plan for evaluating a potential chilling effect onsite and its plan of action for addressing the matter to the NRC, which Entergy subsequently provided on January 22, 2007 [ADAMS Ref. ML070240242]. The NRC reviewed Entergy's response and concluded that Entergy's completed and planned diagnostic activities are reasonable to characterize the challenges to the safety conscious work environment onsite and the planned corrective actions are appropriate. The results of the NRC's review were documented in a letter to Entergy dated February 26, 2007 [ADAMS Ref. ML070570518]. Consequently, the staff did not identify a substantive cross-cutting issue in the area of safety conscious work environment. We will continue to monitor your progress in this area through the baseline inspection program and completion of problem identification and resolution inspection samples in June 2007.

In addition to the baseline inspection program, we plan to conduct inspections of your preparations for dry cask storage of spent nuclear fuel. The NRC will also continue enhanced oversight of Entergy's actions to address issues associated with on-site groundwater contamination characterization and mitigation, and the performance of the alert and notification system (ANS), including implementation and initial testing of the replacement ANS that Entergy is installing in response to the Energy Policy Act of 2005. Enhanced NRC oversight will continue until Entergy has completed actions associated with on-site groundwater contamination and installation of the replacement ANS as described in the ROP deviation renewal, which was approved by the NRC Executive Director for Operations on December 21, 2006 [ADAMS Ref. ML063480016].

The enclosed inspection plans detail the inspections, less those related to physical protection,

scheduled through June 30, 2008. The inspection plans are provided to allow for the resolution of any scheduling conflicts and personnel availability issues well in advance of inspector arrival onsite. Routine resident inspections are not listed due to their ongoing and continuous nature. The inspections in the last nine months of the inspection plans are tentative and may be revised at the mid-cycle review.

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

If circumstances arise which cause us to change these inspection plans, we will contact you to discuss the change as soon as possible. Please contact Mr. Eugene Cobey at 610-337-5171 with any questions you may have regarding this letter or the inspection plan.

Sincerely,

**/RA/**

Samuel J. Collins  
Regional Administrator

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

Enclosures: Indian Point Unit 2 Inspection / Activity Plan  
Indian Point Unit 3 Inspection / Activity Plan

Docket No. 50-247  
License No. DPR-26

cc w/encl:

G. J. Taylor, Chief Executive Officer, Entergy Operations  
M. Kansler, President, Entergy Nuclear Operations, Inc.  
J. T. Herron, Senior Vice President for Operations  
M. Balduzzi, Senior Vice President, Northeastern Regional Operations  
W. Campbell, Senior Vice President of Engineering and Technical Services  
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K. Polson, General Manager Operations  
O. Limpas, Vice President, Engineering (ENO)  
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D. Lochbaum, Nuclear Safety Engineer, Union of Concerned Scientists  
Public Citizen's Critical Mass Energy Project  
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F. Zalzman, Pace Law School, Energy Project  
L. Puglisi, Supervisor, Town of Cortlandt  
Congressman John Hall  
Congresswoman Nita Lowey  
Senator Hillary Rodham Clinton  
Senator Charles Schumer  
G. Shapiro, Senator Clinton's Staff  
J. Riccio, Greenpeace  
P. Musegaas, Riverkeeper, Inc.  
M. Kaplowitz, Chairman of County Environment & Health Committee  
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M. Jacobs, Director, Longview School  
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K. Coplan, Pace Environmental Litigation Clinic  
M. Jacobs, IPSEC  
D. C. Poole, PWR SRC Consultant  
W. Russell, PWR SRC Consultant  
W. Little, Associate Attorney, NYSDEC  
R. Christman, Manager Training and Development

**Indian Point 2**  
**Inspection / Activity Plan**  
**01/01/2007 - 06/30/2008**

Unit Number	Inspection Activity	Title	No. of Staff on Site	Planned Dates Start	Planned Dates End	Inspection Type
	<b>7111121 - CDBI</b>		<b>7</b>			
2	IP 7111121	Component Design Bases Inspection		01/08/2007	01/12/2007	Baseline Inspections
2	IP 7111121	Component Design Bases Inspection		01/22/2007	01/26/2007	Baseline Inspections
2	IP 7111121	Component Design Bases Inspection		02/05/2007	02/09/2007	Baseline Inspections
2	IP 7111121	Component Design Bases Inspection		02/12/2007	02/16/2007	Baseline Inspections
	<b>7111405 - FOLLOWUP INSP FOR NEW ANS SYSTEM</b>		<b>1</b>			
2	IP 7111405	Correction of Emergency Preparedness Weaknesses and Deficiencies		01/22/2007	01/26/2007	Other Routine
	<b>71121 - OCC RAD SAFETY</b>		<b>1</b>			
2	IP 7112101	Access Control to Radiologically Significant Areas		02/26/2007	03/02/2007	Baseline Inspections
2	IP 7112102	ALARA Planning and Controls		02/26/2007	03/02/2007	Baseline Inspections
	<b>DEV MEMO - GROUND WATER CONTAMINATION/ DEV MEMO</b>		<b>1</b>			
2	IP 7112203	Radiological Environmental Monitoring Program (REMP) And Radioactive Material Control Pr		02/26/2007	03/02/2007	Other Routine
	<b>ISFSI - ISFSI CONSTRUCTION INSPECTION</b>		<b>2</b>			
2	IP 60854	Preoperational Testing Of An ISFSI		03/01/2007	12/31/2007	Other Routine
2	IP 60854.1	Preoperational Testing of Independent Spent Fuel Storage Facility Installation at Operating F		03/01/2007	12/31/2007	Other Routine
2	IP 60855	Operation Of An ISFSI		03/01/2007	12/31/2007	Other Routine
2	IP 60855.1	Operation of an Independent Spent Fuel Storage Installation at Operating Plants		03/01/2007	12/31/2007	Other Routine
	<b>71121 - OCC RAD SAFETY</b>		<b>1</b>			
2	IP 7112101	Access Control to Radiologically Significant Areas		03/26/2007	03/30/2007	Baseline Inspections
2	IP 7112102	ALARA Planning and Controls		03/26/2007	03/30/2007	Baseline Inspections
	<b>TRI FIRE - TRIENNIAL FIRE PROTECTION INSPECTION</b>		<b>4</b>			
2	IP 7111105T	Fire Protection [Triennial]		04/23/2007	04/27/2007	Baseline Inspections
2	IP 7111105T	Fire Protection [Triennial]		05/14/2007	05/18/2007	Baseline Inspections
	<b>7111405 - FOLLOWUP INSP FOR NEW ANS SYSTEM</b>		<b>1</b>			
2	IP 7111405	Correction of Emergency Preparedness Weaknesses and Deficiencies		04/24/2007	04/26/2007	Other Routine
	<b>DEV MEMO - GROUND WATER CONTAMINATION/ DEV MEMO</b>		<b>1</b>			
2	IP 7112203	Radiological Environmental Monitoring Program (REMP) And Radioactive Material Control Pr		05/07/2007	05/11/2007	Other Routine
	<b>71152 - PROCEDURE ADEQUACY PI&amp;R SAMPLE</b>		<b>2</b>			
2	IP 71152-Reviews	In-depth Reviews		06/01/2007	06/30/2007	Baseline Inspections
	<b>71152 - SCWE PI&amp;R SAMPLE</b>		<b>1</b>			
2	IP 71152-Reviews	In-depth Reviews		06/01/2007	06/30/2007	Baseline Inspections
	<b>11/5 EXM - U2 OPERATOR LICENSING INITIAL EXAM</b>		<b>4</b>			
2	U01683	FY08 - INDIAN POINT 2 INITIAL EXAM		10/08/2007	10/12/2007	Not Applicable
2	U01683	FY08 - INDIAN POINT 2 INITIAL EXAM		11/05/2007	11/09/2007	Not Applicable

This report does not include INPO and OUTAGE activities.  
This report shows only on-site and announced inspection procedures.

**Indian Point 2**  
**Inspection / Activity Plan**  
**01/01/2007 - 06/30/2008**

Unit Number	Inspection Activity	Title	No. of Staff on Site	Planned Dates Start	Planned Dates End	Inspection Type
	<b>71121 - OCC RAD SAFETY</b>		<b>1</b>			
2	IP 7112101	Access Control to Radiologically Significant Areas		07/16/2007	07/20/2007	Baseline Inspections
2	IP 7112102	ALARA Planning and Controls		07/16/2007	07/20/2007	Baseline Inspections
	<b>DEV MEMO - GROUNDWATER CONTAMINATION/DEV MEMO</b>		<b>1</b>			
2	IP 7112203	Radiological Environmental Monitoring Program (REMP) And Radioactive Material Control Pr		09/04/2007	09/07/2007	Other Routine
	<b>71114 - EP PRGM INSP</b>		<b>1</b>			
2	IP 7111402	Alert and Notification System Testing		09/24/2007	09/28/2007	Baseline Inspections
2	IP 7111403	Emergency Response Organization Augmentation Testing		09/24/2007	09/28/2007	Baseline Inspections
2	IP 7111404	Emergency Action Level and Emergency Plan Changes		09/24/2007	09/28/2007	Baseline Inspections
2	IP 7111405	Correction of Emergency Preparedness Weaknesses and Deficiencies		09/24/2007	09/28/2007	Baseline Inspections
2	IP 71151-EP01	Drill/Exercise Performance		09/24/2007	09/28/2007	Baseline Inspections
2	IP 71151-EP02	ERO Drill Participation		09/24/2007	09/28/2007	Baseline Inspections
2	IP 71151-EP03	Alert & Notification System		09/24/2007	09/28/2007	Baseline Inspections
	<b>7112202 - PUB RAD SAFETY - RADWASTE</b>		<b>1</b>			
2	IP 7112202	Radioactive Material Processing and Transportation		10/01/2007	10/05/2007	Baseline Inspections
	<b>71121 - OCC RADIATION SAFETY</b>		<b>1</b>			
2	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment		11/26/2007	11/30/2007	Baseline Inspections
	<b>71111.12 - MAINTENANCE RULE</b>		<b>1</b>			
2	IP 7111112B	Maintenance Effectiveness		12/10/2007	12/14/2007	Baseline Inspections
	<b>7111108P - U2 INSERVICE INSPECTION</b>		<b>1</b>			
2	IP 7111108P	Inservice Inspection Activities - PWR		03/31/2008	04/11/2008	Baseline Inspections
	<b>71121 - OCC RAD SAFETY</b>		<b>1</b>			
2	IP 7112101	Access Control to Radiologically Significant Areas		04/14/2008	04/18/2008	Baseline Inspections
2	IP 7112102	ALARA Planning and Controls		04/14/2008	04/18/2008	Baseline Inspections
	<b>TI-166 - CONTAINMENT SUMP MODIFICATIONS</b>		<b>1</b>			
2	IP 2515/166	Pressurized Water Reactor Containment Sump Blockage [NRC GENERIC LETTER 2004-02]		04/21/2008	04/25/2008	Safety Issues
	<b>7111107B - HEAT SINK INSP</b>		<b>1</b>			
2	IP 7111107B	Heat Sink Performance		06/16/2008	06/20/2008	Baseline Inspections

**Indian Point 3**  
**Inspection / Activity Plan**  
**01/01/2007 - 06/30/2008**

Unit Number	Inspection Activity	Title	No. of Staff on Site	Planned Dates		Inspection Type
				Start	End	
	<b>711405 - FOLLOWUP INSP FOR NEW ANS SYSTEM</b>		<b>1</b>			
3	IP 7111405	Correction of Emergency Preparedness Weaknesses and Deficiencies		01/22/2007	01/26/2007	Other Routine
	<b>71121 - OCC RAD SAFETY</b>		<b>1</b>			
3	IP 7112101	Access Control to Radiologically Significant Areas		02/26/2007	03/02/2007	Baseline Inspections
3	IP 7112102	ALARA Planning and Controls		02/26/2007	03/02/2007	Baseline Inspections
	<b>7111108P - IP3 IN-SERVICE INSPECTION</b>		<b>1</b>			
3	IP 7111108P	Inservice Inspection Activities - PWR		03/12/2007	03/23/2007	Baseline Inspections
	<b>71121 - OCC RAD SAFETY</b>		<b>1</b>			
3	IP 7112101	Access Control to Radiologically Significant Areas		03/26/2007	03/30/2007	Baseline Inspections
3	IP 7112102	ALARA Planning and Controls		03/26/2007	03/30/2007	Baseline Inspections
	<b>TI-166 - CONTAINMENT SUMP MODIFICATIONS</b>		<b>2</b>			
3	IP 2515/166	Pressurized Water Reactor Containment Sump Blockage [NRC GENERIC LETTER 2004-02]		04/02/2007	04/06/2007	Safety Issues
	<b>7111405 - FOLLOWUP INSP FOR NEW ANS SYSTEM</b>		<b>1</b>			
3	IP 7111405	Correction of Emergency Preparedness Weaknesses and Deficiencies		04/24/2007	04/26/2007	Other Routine
	<b>DEV MEMO - GROUND WATER CONTAMINATION/ DEV MEMO</b>		<b>1</b>			
3	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment		05/07/2007	05/11/2007	Other Routine
	<b>71152 - SCWE PI&amp;R SAMPLE</b>		<b>2</b>			
3	IP 71152-Reviews	In-depth Reviews		06/01/2007	06/30/2007	Baseline Inspections
	<b>7111107 - HEAT SINK INSP</b>		<b>1</b>			
3	IP 7111107B	Heat Sink Performance		07/16/2007	07/20/2007	Baseline Inspections
	<b>71121 - OCC RAD SAFETY</b>		<b>1</b>			
3	IP 7112101	Access Control to Radiologically Significant Areas		07/16/2007	07/20/2007	Baseline Inspections
3	IP 7112102	ALARA Planning and Controls		07/16/2007	07/20/2007	Baseline Inspections
	<b>DEV MEMO - GROUNDWATER CONTAMINATION/DEVIATION MEMO</b>		<b>1</b>			
3	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment		09/04/2007	09/07/2007	Other Routine
	<b>71114 - EP PRGM INSP</b>		<b>1</b>			
3	IP 7111402	Alert and Notification System Testing		09/24/2007	09/28/2007	Baseline Inspections
3	IP 7111403	Emergency Response Organization Augmentation Testing		09/24/2007	09/28/2007	Baseline Inspections
3	IP 7111404	Emergency Action Level and Emergency Plan Changes		09/24/2007	09/28/2007	Baseline Inspections
3	IP 7111405	Correction of Emergency Preparedness Weaknesses and Deficiencies		09/24/2007	09/28/2007	Baseline Inspections
3	IP 71151-EP01	Drill/Exercise Performance		09/24/2007	09/28/2007	Baseline Inspections
3	IP 71151-EP02	ERO Drill Participation		09/24/2007	09/28/2007	Baseline Inspections
3	IP 71151-EP03	Alert & Notification System		09/24/2007	09/28/2007	Baseline Inspections
	<b>7111111B - L.O. REQUALIFICATION PROG+P/F REVIEW</b>		<b>3</b>			
3	IP 7111111B	Licensed Operator Requalification Program		09/24/2007	09/28/2007	Baseline Inspections

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**Indian Point 3**  
**Inspection / Activity Plan**  
**01/01/2007 - 06/30/2008**

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				Start	End	
	<b>7112202 - PUB RAD SAFETY - RADWASTE</b>		<b>1</b>			
3	IP 7112202	Radioactive Material Processing and Transportation		10/01/2007	10/05/2007	Baseline Inspections
	<b>7111121 - CDBI</b>		<b>7</b>			
3	IP 7111121	Component Design Bases Inspection		10/01/2007	10/05/2007	Baseline Inspections
3	IP 7111121	Component Design Bases Inspection		10/15/2007	10/19/2007	Baseline Inspections
3	IP 7111121	Component Design Bases Inspection		10/29/2007	11/02/2007	Baseline Inspections
3	IP 7111121	Component Design Bases Inspection		11/05/2007	11/09/2007	Baseline Inspections
	<b>71121 - OCC RADIATION SAFETY</b>		<b>1</b>			
3	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment		11/26/2007	11/30/2007	Baseline Inspections
	<b>71111.12 - MAINTENANCE RULE</b>		<b>1</b>			
3	IP 7111112B	Maintenance Effectiveness		12/10/2007	12/14/2007	Baseline Inspections
	<b>TRI FIRE - TRIENNIAL FIRE PROTECTION INSPECTION</b>		<b>3</b>			
3	IP 7111105T	Fire Protection [Triennial]		03/03/2008	03/07/2008	Baseline Inspections
3	IP 7111105T	Fire Protection [Triennial]		03/17/2008	03/21/2008	Baseline Inspections
	<b>71121 - OCC RAD SAFETY</b>		<b>1</b>			
3	IP 7112101	Access Control to Radiologically Significant Areas		04/14/2008	04/18/2008	Baseline Inspections
3	IP 7112102	ALARA Planning and Controls		04/14/2008	04/18/2008	Baseline Inspections



The enclosed inspection plans detail the inspections, less those related to physical protection, of any scheduling conflicts and personnel availability issues well in advance of inspector arrival onsite. Routine resident inspections are not listed due to their ongoing and continuous nature. The inspections in the last nine months of the inspection plans are tentative and may be revised at the mid-cycle review.

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Sincerely,

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Senator Hillary Rodham Clinton  
Senator Charles Schumer  
G. Shapiro, Senator Clinton's Staff  
J. Riccio, Greenpeace  
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**SUNSI Review Complete:** TEW (Reviewer's Initials)

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