

January 31, 2006

EA-05-190

Mr. Michael R. Kansler
President
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

SUBJECT: CONFIRMATORY ORDER MODIFYING LICENSE TO REQUIRE BACKUP
POWER FOR THE EMERGENCY NOTIFICATION SYSTEM FOR INDIAN
POINT NUCLEAR GENERATING UNIT NOS. 2 AND 3

Dear Mr. Kansler:

The U.S. Nuclear Regulatory Commission (NRC or the Commission) is issuing the enclosed Confirmatory Order to Entergy Nuclear Operations, Inc., to address the requirement of PL 109-58, 119 Stat 594, Section 651(b) of the Energy Policy Act (Act) of 2005. The Act was enacted on August 8, 2005. The Act mandates that "for any licensed nuclear power plants located where there is a permanent population, as determined by the 2000 decennial census, in excess of 15,000,000 within a 50-mile radius of the power plant, not later than 18 months after enactment of this Act, the Commission shall require that backup power to be available for the emergency notification system of the power plant, including the emergency siren warning system, if the alternating current supply within the 10-mile emergency planning zone of the power plant is lost." Indian Point Nuclear Generating Unit Nos. 2 and 3 meet the criteria of the Act. The Confirmatory Order will require backup power for the emergency notification system used for Indian Point Nuclear Generating Unit Nos. 2 and 3. The Confirmatory Order will become effective immediately upon issuance and fully implemented by January 30, 2007.

Questions concerning this Confirmatory Order should be addressed to Eric J. Leeds, Director, Division of Preparedness and Response, who can be reached at (301) 415-2334 or Nader L. Mamish, Director, Emergency Preparedness Directorate, who can be reached at (301) 415-1086.

Pursuant to Section 223 of the Atomic Energy Act of 1954, as amended, any person who willfully violates, attempts to violate, or conspires to violate, any provision of this Order shall be subject to criminal prosecution as set forth in that section. Violation of this Order may also subject the person to civil monetary penalty.

In accordance with Title 10 of the *Code of Federal Regulations*, Section 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the publicly available record component of the NRC's Agencywide Documents Access and Management System (ADAMS).

M. Kansler

- 2 -

ADAMS is accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html> (Public Electronic Reading Room). To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction. The NRC also includes significant enforcement actions on its Web site at www.nrc.gov; select *What We Do, Enforcement*, then *Significant Enforcement Actions*.

Sincerely,

/RA/

J. E. Dyer, Director
Office of Nuclear Reactor Regulation

Docket Nos. 50-247 and 50-286

Enclosure: As stated

M. Kansler

- 2 -

ADAMS is accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html> (Public Electronic Reading Room). To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction. The NRC also includes significant enforcement actions on its Web site at www.nrc.gov; select *What We Do, Enforcement*, then *Significant Enforcement Actions*.

Sincerely,

/RA/

J. E. Dyer, Director
Office of Nuclear Reactor Regulation

Docket Nos. 50-247 and 50-286

Enclosure: As stated

cc: w/encl: See next page

DISTRIBUTION

Public	W. Kane	M. Johnson	C. Nolan	B. Boger
RidsNrrOd	R. Zimmerman	E. Leeds	N. Mamish	C. Haney
S. Collins	E. Weiss	K. Williams	J. Boska	S. Little
OGC	G. Hill (4)	LPL1-1 R/F	S. Burnell	ACRS
B McDermott (R1)	SECY	S. Lee (EDO)		

Adams Accession Number: ML060090405, Order ML060090429, Package ML060090441

OFFICE	LPL1-1/PM	LPL1-1/LA	LPL1-1/BC	NRR/DORL/D	NRR/ADRO/AD
NAME	JBoska	Craynor for SLittle	RLaufer	CHolden for CHaney	BBoger
DATE	1/11/06	1/11/06	1/31/06	1/31/06	1/31/06
OFFICE	RGN1/RA	NSIR/OD	OE	OGC	NRR/D
NAME	MDapas for SCollins	RZimmerman	MJohnson	BJones for LChandler	JDyer
DATE	1/31/06	1/31/06	1/31/06	1/31/06	1/31/06

OFFICIAL RECORD COPY

Indian Point Nuclear Generating Unit Nos. 2 & 3

cc:

Mr. Gary J. Taylor
Chief Executive Officer
Entergy Operations, Inc.
1340 Echelon Parkway
Jackson, MS 39213

Mr. John T. Herron
Senior Vice President and
Chief Operating Officer
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

Mr. Fred R. Dacimo
Site Vice President
Entergy Nuclear Operations, Inc.
Indian Point Energy Center
295 Broadway, Suite 1
P.O. Box 249
Buchanan, NY 10511-0249

Mr. Paul Rubin
General Manager, Plant Operations
Entergy Nuclear Operations, Inc.
Indian Point Energy Center
295 Broadway, Suite 2
P.O. Box 249
Buchanan, NY 10511-0249

Mr. Oscar Limpias
Vice President Engineering
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

Mr. Brian O'Grady
Vice President, Operations Support
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

Mr. John F. McCann
Director, Licensing
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

Ms. Charlene D. Faison
Manager, Licensing
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

Mr. Michael J. Columb
Director of Oversight
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

Mr. James Comiotes
Director, Nuclear Safety Assurance
Entergy Nuclear Operations, Inc.
Indian Point Energy Center
295 Broadway, Suite 1
P.O. Box 249
Buchanan, NY 10511-0249

Mr. Patric Conroy
Manager, Licensing
Entergy Nuclear Operations, Inc.
Indian Point Energy Center
295 Broadway, Suite 1
P. O. Box 249
Buchanan, NY 10511-0249

Mr. Travis C. McCullough
Assistant General Counsel
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

Ms. Stacey Lousteau
Treasury Department
Entergy Services, Inc.
639 Loyola Avenue
Mail Stop: L-ENT-15E
New Orleans, LA 70113

Regional Administrator, Region I
U.S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406

Indian Point Nuclear Generating Unit Nos. 2 & 3

cc:

Senior Resident Inspector's Office
Indian Point 2
U. S. Nuclear Regulatory Commission
P.O. Box 59
Buchanan, NY 10511

Senior Resident Inspector's Office
Indian Point 3
U. S. Nuclear Regulatory Commission
P.O. Box 59
Buchanan, NY 10511

Mr. Peter R. Smith, President
New York State Energy, Research, and
Development Authority
17 Columbia Circle
Albany, NY 12203-6399

Mr. Paul Eddy
Electric Division
New York State Department
of Public Service
3 Empire State Plaza, 10th Floor
Albany, NY 12223

Mr. Charles Donaldson, Esquire
Assistant Attorney General
New York Department of Law
120 Broadway
New York, NY 10271

Mayor, Village of Buchanan
236 Tate Avenue
Buchanan, NY 10511

Mr. Ray Albanese
Executive Chair
Four County Nuclear Safety Committee
Westchester County Fire Training Center
4 Dana Road
Valhalla, NY 10592

Mr. William DiProffio
PWR SRC Consultant
139 Depot Road
East Kingston, NH 03827

Mr. Daniel C. Poole
PWR SRC Consultant
P.O. Box 579
Inglis, FL 34449

Mr. William T. Russell
PWR SRC Consultant
400 Plantation Lane
Stevensville, MD 21666-3232

Mr. Jim Riccio
Greenpeace
702 H Street, NW
Suite 300
Washington, DC 20001

Mr. Phillip Musegaas
Riverkeeper, Inc.
828 South Broadway
Tarrytown, NY 10591

Mr. Mark Jacobs
IPSEC
46 Highland Drive
Garrison, NY 10524