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John T. Herron
Senior Vice President and
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January 11, 2007

Re: Indian Point Units 2 and 3
Dockets 50-247 and 50-286

NL-07-014

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

**SUBJECT: NRC Order EA-05-190 Relaxation Request:
Implementation Date for Emergency Notification System Backup Power**

Reference: NRC Order EA-05-190; "Confirmatory Order Modifying License to Require Backup Power for the Emergency Notification System for Indian Point Nuclear Generating Units 2 and 3", dated January 31, 2006.

Dear Sir:

Entergy Nuclear Operations, Inc (Entergy) hereby requests NRC approval of a relaxation request regarding the implementation date for the referenced Confirmatory Order regarding backup power for the Indian Point 2 and 3 emergency notification system. This request is made pursuant to Section IV.V of the subject Order.

Section IV.II of the Order states:

"The Licensee shall implement II.A, II.B, and II.C.1-3 by January 30, 2007. The backup power system for the ENS shall be declared operable by January 30, 2007. The backup power supply for the ENS shall include, as a minimum:"

Entergy requests that Section IV.II be revised to read:

"The Licensee shall implement II.A, II.B, and II.C.1-3 by April 15, 2007. The backup power system for the ENS shall be declared operable by April 15, 2007. The backup power supply for the ENS shall include, as a minimum:"

The subject Order requires, in part, the installation of backup power capability for the Indian Point Emergency Notification System. Entergy determined that it was not feasible to modify the existing electro-mechanical siren system with a backup power capability that meets the technical requirements of the Order. Therefore, Entergy initiated a project to completely replace

the existing system with electronic sirens that would be compatible with a battery-powered backup feature. Entergy also decided to take this opportunity to make further investments to incorporate new technology and design features including design and installation of new control systems and new communication capabilities.

Considerable progress has been achieved during the past year. A comprehensive system design has been developed, with input from stakeholders, research of available technologies, and consideration of lessons-learned with the existing system. Sound survey data in the four-county region has been collected and acoustic analyses have been performed. System components have been fabricated and installation is nearing completion. The system design consists of 150 new sirens and metal poles, 12 computer-based control stations, and new communication links using two separate technologies. Entergy expects that installation of the few remaining components, with one primary exception described in this letter, will be completed by January 30, 2007.

Although installation is nearly complete, delays experienced during this phase of the project leave little time to perform remaining activities that are crucial to the successful implementation of the system. These delays, related to permits and approvals for new siren installation and installation of the new communication system, are described in more detail below.

Permits and Approvals

Each of the 150 sirens being installed for the new system required permits or other approvals in accordance with applicable local requirements, prior to installation. Siren pole installation required excavation approvals from various utility organizations and siting permits had to be secured for sirens at approximately 20 locations. In the state of New York, the jurisdictional authority for such permits generally is the purview of the lowest level of government. Jurisdictions include state, county, city, town, township, and village. For each permit it is necessary to determine the applicable government authority and obtain its approval for siren placement. This process required interactions with many agencies and levels of government. The timing and methods for obtaining approvals vary from one jurisdiction to another and in some instances permits required interactions with multiple authorities.

Entergy, including senior management and staff, and its contractors have worked with authorizing agencies and government at all levels to expedite the permitting activities. The affected counties (Orange, Putnam, Rockland and Westchester) have provided assistance in identifying the various authorizing agencies and in obtaining required permits. Nevertheless, parts of the processes of individual jurisdictions are beyond the control of Entergy or its contractors to expedite and have extended the time anticipated to obtain all necessary permits and approvals.

Our original schedule anticipated that all permits and approvals for installation of siren poles and sirens would be secured by September 2006, however some have just been received or are still outstanding and thus impacted the timely completion of construction activities.

The collective impact of permitting issues and utility excavation approvals has been to extend the completion of construction, testing and training for this project beyond January 30, 2007.

Communications Systems

The design of the siren system incorporates two redundant, physically separated communications systems. The first of the two systems is a radio network operating from four towers located at the Indian Point Energy Center, Orange County, Putnam County and Westchester County. The second communication system uses commercial wireless cellular telephone networks to carry signals via the internet using Transmission Control Protocol / Internet Protocol (TCP/IP). The TCP/IP phase of this project is essentially complete at this time. Both communications systems are required to be operational in accordance with the system design submitted to the Department of Homeland Security. Construction for the radio-based communications system has been on-going at three towers and is expected to be completed by January 30, 2007. One tower known as the Grasslands Tower located in Westchester County has required substantial additional engineering analysis and design, and will require physical structural modification work that could not have been foreseen by Entergy or its contactors in advance and as further described below. The expected completion of the modification to the Grasslands Tower to allow installation of the communication system components at that tower has extended the date for overall project completion.

The 470-foot tall Grasslands Tower in Valhalla, Westchester County is owned by the County of Westchester. Entergy received tentative approval for use of this tower as part of the siren system communications network in June 2006. Final approval is dependent upon an engineering analysis that was required to be performed by contractors approved by Westchester County to verify acceptable antenna loads. An initial tower analysis was performed by an approved contractor in October 2006. This analysis revealed structural deficiencies that were not previously known to exist by the County of Westchester Department of Emergency Services. Entergy agreed to undertake the coordination of the analysis and structural repairs in order to expedite completion of the project.

The final construction scope is still pending completion of the contractor's engineering report and repair work scope. Based on current estimates and analyses of the Grasslands Tower modification, the repair work will require a period of 5 to 8 weeks to complete once final construction documents are provided to the county, work is authorized, and contracts are issued. The emergent work to repair the Grassland Tower was not contemplated when the project schedule was established in June 2006. Installation of antennas and microwave dishes required by the siren system can not commence until completion of structural repairs to the Grasslands Tower. After installation and tuning of the antennas, system testing can be completed.

Remaining Activities

The following activities were part of the original schedule developed in 2006. However, the schedule impacts discussed above for siren permits / approvals and communication system installation have pushed these activities out beyond January 30, 2007.

- **Testing and Final Tuning:**

Component and sub system testing has been on-going as equipment becomes available. The testing schedule has been modified to accommodate changes in the construction schedule. The final integrated system testing requires a period of two weeks. Such testing will involve observations and activities in all four counties. This includes a recent addition to the test plan requested by the counties to provide in-field spotters at all siren locations for a full volume test.

- Training:

Personnel from various agencies in the four counties will be trained to operate the siren system. Approximately 60 individuals will be trained in various emergency response centers in the counties of Orange, Putnam, Rockland, and Westchester and at the Indian Point Energy Center. Training for these operators has commenced. Based on feedback from the counties, we anticipate that an additional final round of training will be necessary once the Grasslands Tower work has been completed and the final radio communications system is in place. The personnel who are being trained are generally emergency services workers in 911 call centers and police / fire dispatch centers. Training for these individuals must be carefully coordinated so as to minimize impacts on on-going emergency services capabilities. Entergy and its contractors have been working closely with the counties to develop training schedules that avoid negative impacts on emergency services operations. Based on input from the four counties, the training schedules have been revised and extend beyond January 30, 2007.

- Public Outreach and Education:

As part of the inauguration of the siren system, a public outreach and education program has been developed. The counties have requested that this program be presented over a period of time to ensure maximum coverage and effectiveness. The counties and Entergy believe that to meet this request such an effort will extend beyond January 30, 2007.

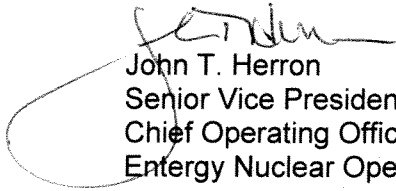
Conclusion

The collective impact of the topics described in this letter is an increase in the project duration of approximately 75 days and forms the basis for this relaxation request.

Entergy has provided periodic siren project updates to representatives of the counties of Orange, Putnam, Rockland and Westchester as well as the New York State Emergency Management Office. On January 4, 2007 a comprehensive review of the system progress was presented to these parties. At that time, the counties expressed concern with plans to expedite the remaining activities by January 30, 2007 and concurred with an approach for Entergy to request an extension of the order completion date to accommodate unforeseen construction work on the Grasslands Tower and optimize the implementation of testing and training. This request, therefore, is being made with the awareness and support of the four Emergency Plan counties.

There are no new commitments identified in this submittal. If you have any questions or require additional information, please contact Mr. Mike Slobodien, Director Emergency Programs at (914) 272-3352.

Sincerely,



John T. Herron
Senior Vice President and
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Entergy Nuclear Operations, Inc

cc:

Mr. James E. Dyer, Director, Office of Nuclear Reactor Regulation
Mr. John P. Boska, Senior Project Manager, NRC NRR DORL
Mr. Samuel J. Collins, Regional Administrator, NRC Region I
NRC Resident Inspector's Office, Indian Point 2
NRC Resident Inspector's Office, Indian Point 3
Mr. Peter R. Smith, NYSERDA
Mr. Paul Eddy, NYS Department of Public Service
Mr. John Gibb, Director NYS Emergency Management Office
Mr. Anthony W. Sutton, Commissioner Department of Emergency Services (Westchester County)
Mr. Daniel Greeley, Deputy Director Department of Fire and Emergency Services (Rockland County)
Mr. Adam Stiebeling, Deputy Commissioner Bureau of Emergency Services (Putnam County)
Mr. Dominick Greene, Department of Emergency Services (Orange County)