



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
C. Schwarz, Vice President, Operations Support (ENO)
K. Polson, General Manager Operations
O. Limpas, Vice President, Engineering (ENO)
J. McCann, Director, Licensing (ENO)
C. D. Faison, Manager, Licensing (ENO)
R. Patch, Director of Oversight (ENO)
J. Comiotes, Director, Nuclear Safety Assurance

P. Conroy, Manager, Licensing
T. C. McCullough, Assistant General Counsel, Entergy Nuclear Operations, Inc.
P. R. Smith, President, New York State Energy, Research and Development Authority
P. Eddy, Electric Division, New York State Department of Public Service
C. Donaldson, Esquire, Assistant Attorney General, New York Department of Law
D. O'Neill, Mayor, Village of Buchanan
J. G. Testa, Mayor, City of Peekskill
R. Albanese, Four County Coordinator
S. Lousteau, Treasury Department, Entergy Services, Inc.
Chairman, Standing Committee on Energy, NYS Assembly
Chairman, Standing Committee on Environmental Conservation, NYS Assembly
Chairman, Committee on Corporations, Authorities, and Commissions
M. Slobodien, Director, Emergency Planning
B. Brandenburg, Assistant General Counsel
Assemblywoman Sandra Galef, NYS Assembly
County Clerk, Westchester County Legislature
A. Spano, Westchester County Executive
R. Bondi, Putnam County Executive
C. Vanderhoef, Rockland County Executive
E. A. Diana, Orange County Executive
T. Judson, Central NY Citizens Awareness Network
M. Elie, Citizens Awareness Network
D. Lochbaum, Nuclear Safety Engineer, Union of Concerned Scientists
Public Citizen's Critical Mass Energy Project
M. Mariotte, Nuclear Information & Resources Service
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
A. Reynolds, Environmental Advocates
M. Jacobs, Director, Longview School
D. Katz, Executive Director, Citizens Awareness Network
P. Leventhal, The Nuclear Control Institute
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 |
|-------------|--|---|----------------------|---------------------|-------------------|----------------------|
| | 7111121 - CDBI | | 7 | | | |
| 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 |
| | 7111405 - FOLLOWUP INSP FOR NEW ANS SYSTEM | | 1 | | | |
| 2 | IP 7111405 | Correction of Emergency Preparedness Weaknesses and Deficiencies | | 01/22/2007 | 01/26/2007 | Other Routine |
| | 71121 - OCC RAD SAFETY | | 1 | | | |
| 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 |
| | DEV MEMO - GROUND WATER CONTAMINATION/ DEV MEMO | | 1 | | | |
| 2 | IP 7112203 | Radiological Environmental Monitoring Program (REMP) And Radioactive Material Control Pr | | 02/26/2007 | 03/02/2007 | Other Routine |
| | ISFSI - ISFSI CONSTRUCTION INSPECTION | | 2 | | | |
| 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 |
| | 71121 - OCC RAD SAFETY | | 1 | | | |
| 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 |
| | TRI FIRE - TRIENNIAL FIRE PROTECTION INSPECTION | | 4 | | | |
| 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 |
| | 7111405 - FOLLOWUP INSP FOR NEW ANS SYSTEM | | 1 | | | |
| 2 | IP 7111405 | Correction of Emergency Preparedness Weaknesses and Deficiencies | | 04/24/2007 | 04/26/2007 | Other Routine |
| | DEV MEMO - GROUND WATER CONTAMINATION/ DEV MEMO | | 1 | | | |
| 2 | IP 7112203 | Radiological Environmental Monitoring Program (REMP) And Radioactive Material Control Pr | | 05/07/2007 | 05/11/2007 | Other Routine |
| | 71152 - PROCEDURE ADEQUACY PI&R SAMPLE | | 2 | | | |
| 2 | IP 71152-Reviews | In-depth Reviews | | 06/01/2007 | 06/30/2007 | Baseline Inspections |
| | 71152 - SCWE PI&R SAMPLE | | 1 | | | |
| 2 | IP 71152-Reviews | In-depth Reviews | | 06/01/2007 | 06/30/2007 | Baseline Inspections |
| | 11/5 EXM - U2 OPERATOR LICENSING INITIAL EXAM | | 4 | | | |
| 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 |
|-------------|--|--|----------------------|---------------------|-------------------|----------------------|
| | 71121 - OCC RAD SAFETY | | 1 | | | |
| 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 |
| | DEV MEMO - GROUNDWATER CONTAMINATION/DEV MEMO | | 1 | | | |
| 2 | IP 7112203 | Radiological Environmental Monitoring Program (REMP) And Radioactive Material Control Pr | | 09/04/2007 | 09/07/2007 | Other Routine |
| | 71114 - EP PRGM INSP | | 1 | | | |
| 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 |
| | 7112202 - PUB RAD SAFETY - RADWASTE | | 1 | | | |
| 2 | IP 7112202 | Radioactive Material Processing and Transportation | | 10/01/2007 | 10/05/2007 | Baseline Inspections |
| | 71121 - OCC RADIATION SAFETY | | 1 | | | |
| 2 | IP 7112103 | Radiation Monitoring Instrumentation and Protective Equipment | | 11/26/2007 | 11/30/2007 | Baseline Inspections |
| | 71111.12 - MAINTENANCE RULE | | 1 | | | |
| 2 | IP 7111112B | Maintenance Effectiveness | | 12/10/2007 | 12/14/2007 | Baseline Inspections |
| | 7111108P - U2 INSERVICE INSPECTION | | 1 | | | |
| 2 | IP 7111108P | Inservice Inspection Activities - PWR | | 03/31/2008 | 04/11/2008 | Baseline Inspections |
| | 71121 - OCC RAD SAFETY | | 1 | | | |
| 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 |
| | TI-166 - CONTAINMENT SUMP MODIFICATIONS | | 1 | | | |
| 2 | IP 2515/166 | Pressurized Water Reactor Containment Sump Blockage [NRC GENERIC LETTER 2004-02] | | 04/21/2008 | 04/25/2008 | Safety Issues |
| | 7111107B - HEAT SINK INSP | | 1 | | | |
| 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 | |
| | 711405 - FOLLOWUP INSP FOR NEW ANS SYSTEM | | 1 | | | |
| 3 | IP 7111405 | Correction of Emergency Preparedness Weaknesses and Deficiencies | | 01/22/2007 | 01/26/2007 | Other Routine |
| | 71121 - OCC RAD SAFETY | | 1 | | | |
| 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 |
| | 7111108P - IP3 IN-SERVICE INSPECTION | | 1 | | | |
| 3 | IP 7111108P | Inservice Inspection Activities - PWR | | 03/12/2007 | 03/23/2007 | Baseline Inspections |
| | 71121 - OCC RAD SAFETY | | 1 | | | |
| 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 |
| | TI-166 - CONTAINMENT SUMP MODIFICATIONS | | 2 | | | |
| 3 | IP 2515/166 | Pressurized Water Reactor Containment Sump Blockage [NRC GENERIC LETTER 2004-02] | | 04/02/2007 | 04/06/2007 | Safety Issues |
| | 7111405 - FOLLOWUP INSP FOR NEW ANS SYSTEM | | 1 | | | |
| 3 | IP 7111405 | Correction of Emergency Preparedness Weaknesses and Deficiencies | | 04/24/2007 | 04/26/2007 | Other Routine |
| | DEV MEMO - GROUND WATER CONTAMINATION/ DEV MEMO | | 1 | | | |
| 3 | IP 7112103 | Radiation Monitoring Instrumentation and Protective Equipment | | 05/07/2007 | 05/11/2007 | Other Routine |
| | 71152 - SCWE PI&R SAMPLE | | 2 | | | |
| 3 | IP 71152-Reviews | In-depth Reviews | | 06/01/2007 | 06/30/2007 | Baseline Inspections |
| | 7111107 - HEAT SINK INSP | | 1 | | | |
| 3 | IP 7111107B | Heat Sink Performance | | 07/16/2007 | 07/20/2007 | Baseline Inspections |
| | 71121 - OCC RAD SAFETY | | 1 | | | |
| 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 |
| | DEV MEMO - GROUNDWATER CONTAMINATION/DEVIATION MEMO | | 1 | | | |
| 3 | IP 7112103 | Radiation Monitoring Instrumentation and Protective Equipment | | 09/04/2007 | 09/07/2007 | Other Routine |
| | 71114 - EP PRGM INSP | | 1 | | | |
| 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 |
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| 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 |
| | 7111111B - L.O. REQUALIFICATION PROG+P/F REVIEW | | 3 | | | |
| 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 | |
| | 7112202 - PUB RAD SAFETY - RADWASTE | | 1 | | | |
| 3 | IP 7112202 | Radioactive Material Processing and Transportation | | 10/01/2007 | 10/05/2007 | Baseline Inspections |
| | 7111121 - CDBI | | 7 | | | |
| 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 |
| | 71121 - OCC RADIATION SAFETY | | 1 | | | |
| 3 | IP 7112103 | Radiation Monitoring Instrumentation and Protective Equipment | | 11/26/2007 | 11/30/2007 | Baseline Inspections |
| | 71111.12 - MAINTENANCE RULE | | 1 | | | |
| 3 | IP 7111112B | Maintenance Effectiveness | | 12/10/2007 | 12/14/2007 | Baseline Inspections |
| | TRI FIRE - TRIENNIAL FIRE PROTECTION INSPECTION | | 3 | | | |
| 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 |
| | 71121 - OCC RAD SAFETY | | 1 | | | |
| 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,

/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

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Public Citizen's Critical Mass Energy Project
M. Mariotte, Nuclear Information & Resources Service
F. Zalcman, 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
A. Reynolds, Environmental Advocates
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D. C. Poole, PWR SRC Consultant
W. Russell, PWR SRC Consultant
W. Little, Associate Attorney, NYSDEC
R. Christman, Manager Training and Development

Distribution w/encl:

- S. Collins, RA
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- G. Bowman, DRP, Resident Inspector - Indian Point 2
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- R. Martin, DRP, Resident OA
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