

July 23, 2004

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

SUBJECT: INDIAN POINT NUCLEAR GENERATING UNITS 2 AND 3 - NRC EVALUATED
EMERGENCY PREPAREDNESS EXERCISE - INSPECTION REPORT NO.
05000247/2004007 AND 05000286/2004004

Dear Mr. Dacimo:

On June 11, 2004, the US Nuclear Regulatory Commission (NRC) completed an inspection at your Indian Point Energy Center. The enclosed inspection report documents the inspection findings, which were discussed on June 11, 2004, with yourself and other members of your staff.

The inspection examined the emergency preparedness exercise conducted on June 8, 2004, and the related activities conducted under your license as they relate to safety and compliance with the Commission's rules and regulations and with the conditions of your license. The inspectors reviewed selected procedures and records, observed activities, and interviewed personnel.

Based on the results of this inspection, no findings of significance were identified.

In accordance with 10CFR2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure and your response (if any) will be 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).

Sincerely,

/RA/

Richard J. Conte, Chief
Operational Safety Branch
Division of Reactor Safety

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

Enclosure: Inspection Report No. 05000247/2004007 and 05000286/2004004
w/Attachment: Supplemental Information

cc w/encl:

G. J. Taylor, Chief Executive Officer, Entergy Operations, Inc.
M. R. Kansler, President - Entergy Nuclear Operations, Inc.
J. T. Herron, Senior Vice President and Chief Operating Officer
C. Schwarz, General Manager - Plant Operations
D. L. Pace, Vice President, Engineering
B. O'Grady, Vice President, Operations Support
J. McCann, Director, Licensing
C. D. Faison, Manager, Licensing, Entergy Nuclear Operations, Inc.
P. Conroy, Manager, Licensing, Entergy Nuclear Operations, Inc.
M. Colomb, Director of Oversight, Entergy Nuclear Operations, Inc.
J. Comiotes, Director, Nuclear Safety Assurance
J. M. Fulton, Assistant General Counsel, Entergy Nuclear Operations, Inc.
P. R. Smith, President, New York State Energy, Research
and Development Authority
J. Spath, Program Director, 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
T. Walsh, Secretary, NFSC, Entergy Nuclear Operations, Inc.
D. O'Neill, Mayor, Village of Buchanan
J. G. Testa, Mayor, City of Peekskill
R. Albanese, Executive Chair, Four County Nuclear Safety Committee
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
P. Rubin, Manager of Planning, Scheduling & Outage Services
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
Congresswoman Sue W. Kelly
Congresswoman Nita Lowey
Senator Hillary Rodham Clinton
Senator Charles Schumer
J. Riccio, Greenpeace
A. Matthiessen, Executive Director, Riverkeeper, Inc.
M. Kaplowitz, Chairman of County Environment & Health Committee

Mr. Fred Dacimo

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cc w/encl: (Cont'd)

A. Reynolds, Environmental Advocates

M. Jacobs, Director, Longview School

D. Katz, Executive Director, Citizens Awareness Network

P. Gunter, Nuclear Information & Resource Service

P. Leventhal, The Nuclear Control Institute

K. Coplan, Pace Environmental Litigation Clinic

R. Witherspoon, The Journal News

W. DiProfio, PWR SRC Consultant

D. C. Poole, PWR SRC Consultant

W. Russell, PWR SRC Consultant

W. Little, Associate Attorney, NYSDEC

J. Picciano, Acting Regional Director, FEMA, Region II

Mr. Fred Dacimo

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Distribution w/encl:

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OFFICE	RI/DRS		RI/DRP		RI/DRS				
NAME	DSilk		BMcDermott		RConte				
DATE	07/09/04		07/19/04		07/22/04				

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U. S. NUCLEAR REGULATORY COMMISSION REGION I

REGION I

Docket Nos: 50-247, 50-286

License Nos: DPR-26, DPR-64

Report No: 05000247/2004007 and 05000286/2004004

Licensee: Entergy Nuclear Northeast

Facility: Indian Point Energy Center

Location: Buchanan, New York

Dates: June 7 - 11, 2004

Inspectors: D. Silk, Sr. Emergency Preparedness Inspector
Division of Reactor Safety (DRS), (Lead)
M. Buckley, Security Risk Analyst, Office of Nuclear Security and Incident
Response
G. Hunegs, Sr. Resident Inspector, Nine Mile Point,
Division of Reactor Projects (DRP)
L. James, Reactor Operations Engineer, Office of Nuclear Reactor
Regulation (NRR)
R. Kahler, Emergency Preparedness Specialist, Emergency
Preparedness Project Office, NRR
J. Noggle, Health Physicist, DRS
B. Norris, Sr. Reactor Engineer, DRS
W. Raymond, Sr. Resident Inspector, Pilgrim, DRP
D. Schneck, Emergency Preparedness Specialist, Emergency
Preparedness Project Office, NRR

Approved by: Richard J. Conte, Chief
Operational Safety Branch
Division of Reactor Safety

Enclosure

SUMMARY OF FINDINGS

IR 05000247/2004007 and 05000286/2004004; 06/07-06/11/2004; Indian Point Nuclear Generating Units 2 and 3; Emergency Preparedness Exercise.

This inspection was conducted by region-based inspectors, resident inspectors from other Region I sites, and specialists from NRC headquarters. No findings of significance were identified using IMC 0609, Significance Determination Process (SDP). The NRC's program for overseeing the safe operation of commercial nuclear power reactors is described in NUREG-1649, "Reactor Oversight Process," Revision 3, dated July 2000.

A. NRC-Identified Findings

Cornerstone: Emergency Preparedness

None.

B. Licensee-Identified Findings

None.

Report Details

1. REACTOR SAFETY

Cornerstone: Emergency Preparedness (EP)

1EP1 Exercise Evaluation (71114.01)

a. Inspection Scope

This inspection activity represents the completion of one sample on a biennial cycle.

Prior to the exercise, an in-office review was conducted of the exercise objectives and scenario submitted to the NRC to determine if the exercise would test major elements of the emergency plan as required by 10 CFR 50.47(b)(14). The inspectors reviewed various opportunities for aspects of dose assessment functions to be demonstrated, such as performing "what if" calculations, assessing radiation monitor readings, and deploying and coordinating field monitoring teams. Furthermore, the inspectors reviewed licensee drill reports since the last biennial exercise on September 24, 2002 which documented five drills or exercises in which radiological releases were simulated. (In two cases offsite agencies participated, the most recent case being on May 12, 2004).

During this inspection, the adequacy of Entergy's performance in the biennial full-participation exercise was reviewed and assessed regarding the implementation of the risk-significant planning standards (RSPS) in 10 CFR 50.47 (b) (4), (5), (9) & (10), which are emergency classification, offsite notification, radiological assessment, and protective action recommendations, respectively. Other performance areas besides the RSPS were evaluated, such as the emergency response organization's (ERO) recognition of abnormal plant conditions and indications, command and control, intra- and inter-facility communications, prioritization of mitigation activities, utilization of repair and field monitoring teams, interface with offsite agencies, and the overall implementation of the emergency plan and its implementing procedures.

The overall adequacy of Entergy's emergency response facilities were compared to NUREG-0696, "Functional Criteria for Emergency Response Facilities" and Emergency Plan commitments. The facilities assessed were the: simulator (SCR); Technical Support Center (TSC); Operations Support Center (OSC); Emergency Operations Facility (EOF); and Joint News Center (JNC). Other facilities that were observed with respect to integration with the emergency response facilities were the Central Alarm Station (CAS) and Incident Command Post (ICP).

Because Entergy now has a common TSC/OSC (located in Unit 2's TSC/OSC area), additional inspection effort focused on this change. Inspectors assessed an emergency planning 50.54(q) review document titled "Integrated TSC/OSC" and Engineering Report No. Indian Point 3 - RPT-04-00023, Integration of Indian Point 2 & 3 Technical Support Centers. Inspectors also reviewed the portions of the May 12, 2004, drill report pertaining to the common TSC/OSC. These facilities were compared with NUREG 0696.

The inspectors verified that the walking time from Unit 3 to the common TSC/OSC was approximately two minutes. Inspectors observed this exercise to note challenges with the conduct of performance in the integrated TSC/OSC.

An inspector observed and assessed the CAS and the ICP communications with on-site emergency response facilities and off-site federal, state, and local agencies with attention to communication techniques, protocols, procedure use, and equipment operation and reliability. Also, licensee security's response to the exercise information was observed and Entergy's control of distractions imposed on the security force, particularly the CAS personnel, during the exercise activities was evaluated to verify that the security force maintained site physical protection and access control throughout the exercise. Emergency procedures were reviewed for actions expected to be accomplished or simulated by the security force during the exercise. These activities were compared to the security performance objectives for the exercise.

Activities in the JNC located at Westchester County Airport were observed and evaluated during the exercise. In particular, the NRC observed the licensee's ability to obtain and prioritize accurate, timely information for inclusion in upcoming news releases and briefings while being sensitive to the needs of the public. The NRC observed the pre-briefings (to ensure prioritization of matters affecting public health and safety) as well as the coordination of news briefings. The licensee's ability to disseminate timely and accurate information from the JNC was previously identified as a finding during an actual event in 2000 and in the September 2002 biennial evaluated exercise. The NRC focused on licensee corrective action in this area. Specifically, a revised process was in place to immediately notify the spokespersons of significant changes in issues affecting public health and safety during the conduct of the news briefings. (The news briefing coordinator was in contact with the licensee's JNC staff in the working room via headset and was to be immediately informed if a significant event occurred.) Overall, the NRC observed and evaluated the ability of the licensee to disseminate timely and accurate information from the JNC.

The activities at the main control cell (located at the Alternate EOF) were monitored which included the coordination of cues to the players for the ERO, the state and counties, and the federal agencies. Also monitored were the timelines between the facilities, especially after a time-advance was used in the scenario, and the general information that was being given to the individual controllers in the field and any information that was passed to the players as part of the scenario. To enhance the evaluation team's ability to monitor key events and player actions, NRC evaluators in the SCR, TSC, EOF and AEOF were in communication via a phone bridge.

Past performance issues from NRC inspection reports and Entergy's drill reports were reviewed to determine the effectiveness of corrective actions as demonstrated during this exercise to ensure compliance with 10CFR50.47(b)(14). Also, the immediate post-exercise facility debriefs and final critique was observed to evaluate Entergy's self-assessment of its ERO's performance during the exercise and to ensure compliance with 10CFR50 Appendix E.IV.F.2.g.

b. Findings

No findings of significance were identified.

4. OTHER ACTIVITIES (OA)

4OA1 Performance Indicator (PI) Verification (71151)

a. Inspection Scope

The inspectors reviewed the licensee's procedure for developing the data for the EP PIs which are: (1) Drill and Exercise Performance (DEP); (2) ERO Drill Participation; and (3) ANS Reliability. The inspector reviewed documentation from drills in 2003 and 2004 and ANS testing results to verify the accuracy of the reported data. Data generated since the July 2003 EP PI verification was reviewed during this inspection. The review of these performance indicators was conducted in accordance with NRC Inspection Procedure 71151. The acceptance criteria used for the review were 10 CFR 50.9 and NEI 99-02, Revision 2, Regulatory Assessment Performance Indicator Guidelines.

b. Findings

No findings of significance were identified.

4OA2 Identification and Resolution of Problems (71152: PI&R Sample)

a. Inspection Scope

The inspectors reviewed Entergy's critique findings as documented in condition reports and drill reports from 2002 through 2004. This review was conducted to determine if significant performance trends exist and to determine the effectiveness of licensee corrective actions based upon ERO performance during this exercise. The inspectors verified that issues identified during this exercise were entered into Entergy's corrective action program. These items are listed in the attachment to this report. NRC Inspection Procedure 71114, Attachment 01; 10 CFR 50.47(b)(14); and Appendix E IV.F.2.g were used as reference criteria.

b. Findings and Observations

No findings of significance were identified.

4OA6 Meetings, Including Exit

The inspectors presented the inspection results to Mr. F. Dacimo, Site Vice President, and other members of the licensee's staff at the conclusion of the inspection on June 11, 2004. The licensee had no objections to the NRC observations. No proprietary information was provided to the inspectors during this inspection.

SUPPLEMENTAL INFORMATION

KEY POINTS OF CONTACT

Licensee Personnel

F. Inzirillo, Emergency Preparedness Manager

LIST OF ITEMS OPENED, CLOSED, AND DISCUSSED

Opened, Closed, Discussed

None

LIST OF DOCUMENTS REVIEWED

Section 1EP1: Exercise Evaluation

NUREG-0696, Functional Criteria for Emergency Response Facilities
Emergency Plan Section B: Station Emergency Response Organization
Emergency Plan Section E: Notification Methods and Procedures
Emergency Plan Section F: Emergency Communications
Emergency Plan Section G: Public Education and Information
Emergency Plan Section H: Emergency Facilities and Equipment
Emergency Plan Section J: Protective Response
IP-EP-120, Emergency Classification
IP-EP-130, Emergency Notification and Mobilization
IP-EP-213, Unit 3 Control Room
IP-EP-222, Technical Support Center
IP-EP-232, Operations Support Center
IP-EP-250, Emergency Operations Facility
IP-EP-410, Protective Action Recommendations
IP-1055, Fire Emergency Response
ONOP-SEC-1, Response to Security Compromise
Emergency Preparedness FEMA Exercise Unit 2 September 24, 2002
IPEC 2004 IPEC Full Participation Exercise Scenario

Section 4OA1: Performance Indicator Verification

IP-EP-AD5, Emergency Preparedness Performance Indicator Program, Rev 1

Section 40A2: Identification and Resolution of Problems

Condition Reports

IP2-2004-02664	Siren sound unfamiliar associated with announcement of incoming plane
IP2-2004-02669	Plant page could not be heard in OSC, TSC, and EOF
IP2-2004-02694	Plant page could not be heard at Unit 2 dock near the cafeteria
IP3-2004-02082	10CFR50.54(x) should have been implemented during the exercise
IP3-2004-02083	Protocol for bringing in fire fight assistance - control room or ICP
IP3-2004-02084	Develop pre-planned activities to cross-tie power from other unit
IP3-2004-02086	Communication of upgrade security classification was not timely
IP3-2004-02116	Drill report for exercise is to be developed
IP3-2004-02403	Consider more realism in drill regarding fire fighting activities

LIST OF ACRONYMS

AEOF	Alternate Emergency Operations Facility
ANS	Alert and Notification System
CAS	Central Alarm Station
CFR	Code of Federal Regulations
EAL	Emergency Action Level
ERO	Emergency Response Organization
EOF	Emergency Operations Facility
EP	Emergency Preparedness
ERO	Emergency Response Organization
ICP	Incident Command Post
JNC	Joint News Center
OSC	Operations Support Center
PI	Performance Indicator
RSPS	Risk Significant Planning Standard
SCR	Simulator
TSC	Technical Support Center