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Michael Balduzzi  
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August 6, 2007

Re: Indian Point Units 2 and 3  
Dockets 50-247 and 50-286  
NL-07-085

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

SUBJECT: 7-Day Report Required by NRC Order EA-07-189

REFERENCES: 1. NRC Order dated July 30, 2007 (EA-07-189)  
2. NRC Confirmatory Order dated January 31, 2006 (EA-05-190)  
3. NRC Relaxation of Implementation Date (dated January 23, 2007)  
4. Notice of Violation and Proposed Imposition of Civil Penalty dated April 23, 2007 (EA-07-092)  
5. ENO Reply to Notice of Violation dated May 23, 2007 (EA-07-092)

Dear Sir or Madam:

On July 30, 2007, the U.S. Nuclear Regulatory Commission (NRC) issued (Reference 1), an immediately effective Order modifying the Indian Point Nuclear Generating Station Units 2 and 3 (Indian Point) licenses held by Entergy Nuclear Operations, Inc. (ENO). The July 2007 Order imposes, among other things, additional requirements to those previously established in a January 31, 2006, NRC Confirmatory Order (Reference 2), which required installation and operation of an Alert Notification System (ANS) with battery backup power by January 30, 2007. This letter responds to the July 30, 2007 Order.

#### Background

On January 23, 2007, the NRC changed the date for ENO compliance with the Confirmatory Order from January 30, 2007 to April 15, 2007 (Reference 3). ENO did not meet the revised date and as a result, on April 23, 2007 (Reference 4), the NRC issued a Notice of Violation (NOV) and Proposed Imposition of a Civil Penalty against Indian Point. The NOV letter also required ENO, pursuant to 10 C.F.R. § 50.54(f), to provide the NRC with specific plans for ensuring compliance with the January 2006 Order, including details regarding (1) siren sound volume test plans that validate the ANS Design Report (Design Report), (2) test plans for demonstrating system functionality and reliability and (3) training plans and procedure enhancements to ensure, with high reliability, that the sirens can be successfully activated from the counties.

ENO provided the 10 C.F.R. § 50.54(f) information in a May 23, 2007, submittal to the NRC (Reference 5). ENO also committed in that submittal to an ANS operability/in-service date of

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August 24, 2007. As discussed herein and in Attachments I and II to this letter, ENO has endeavored to implement its plans for achieving ANS operability/in-service status and to satisfy applicable regulatory requirements and requests of the Federal Emergency Management Agency (FEMA), and the surrounding counties. ENO has made significant progress but some significant issues with FEMA remain unresolved.

ENO committed to the August 24, 2007 operability/in service date in its May 23, 2007 letter to the NRC based on its understanding of NRC and FEMA regulatory requirements and county expectations as of that date. Since ENO submitted its May 23, 2007 response to the NRC, FEMA has asserted that ENO must satisfy certain prerequisites prior to an operability/in-service declaration. ENO believes these prerequisites are inconsistent with FEMA's regulations and guidelines on which ENO relied in committing to the August 24, 2007 operability date. Some of these prerequisites pose a significant challenge to ENO's ability to place the ANS in service by August 24, 2007.

#### Discussion

Subsequent to ENO committing to the August 24, 2007 operability date, ENO participated in several discussions with FEMA and the other stakeholders to address unresolved issues. Interactions with stakeholders have included (a) participation in discussions with FEMA, the NRC and representatives from the State of New York and the four counties located in the emergency planning zone (informally and in a July 9, 2007 public meeting); (b) participation in weekly conference calls to discuss system progress and areas of stakeholder concern; (c) participation in a technical review meeting with FEMA and the NRC on July 25, 2007 and (d) a meeting between our Chief Nuclear Officer and representatives from the Office of the Administrator for FEMA on July 20, 2007 to resolve issues regarding the ANS, including matters involving its operation and associated training. To illustrate the extent of our communications with FEMA and other stakeholders, Attachment II, Table 2 provides a list of key meetings and interactions between ENO and FEMA, and other stakeholders subsequent to ENO's reply to the NOV (May 23, 2007).

ENO has made significant progress towards satisfying the January 31, 2006 and July 30, 2007 Orders and addressing additional concerns of the various stakeholders. Completed activities required by the January 31, 2006 Order, as supplemented by the April 23, 2007, 10 C.F.R. § 50.54(f) request and the July 30, 2007 Order include:

#### Backup Power

- Installation of backup power that ensures that each ANS component performs its intended design function.
- Confirmation that the backup power has the mandated duration and charging capabilities.
- Installation and verification of functionality of required backup power monitoring.
- Development of a preventative maintenance and testing program. This program will be finalized and in effect when the ANS is declared operable and in service.

#### Documentation

- Submittal of the Design Report to FEMA on April 27, 2006 and January 5, 2007. FEMA approval of the Design Report was received on March 22, 2007.
- Documentation in the Design Report regarding ENO's evaluation of lessons learned from the current ANS and the resolution of identified concerns in the design of the backup power system.

- Submittal to the NRC on March 30, 2006 and June 30, 2006, of a schedule of planned actions associated with implementation of the Order, including interactions with Putnam, Rockland, Westchester and Orange counties; and the State of New York.
- Submittal to the NRC on May 31, 2006, of a proposed revision to its emergency response plan incorporating items A.1-A.5, B.1-B.3 and C.4-C.5 of the January 30, 2006 Order.

ENO believes that only three key activities required in the January 31, 2006 Order (as supplemented by the April 23, 2007, 10 C.F.R. § 50.54(f) request) remain – (1) demonstration of satisfactory performance of all ANS components, including demonstration of the ability of the backup power supply to meet its design objectives; (2) confirmation that acoustic criteria expressed in the January 5, 2007 Design Report have been met and (3) training of county personnel. System checks are ongoing. A full volume test, which is the final activity intended to demonstrate that the Design Report objectives have been met is currently scheduled to occur the second week of August 2007. Consistent with requirements in the January 30, 2006 Order (as supplemented by the April 23, 2007, 10 C.F.R. § 50.54(f) request), ENO has developed training lesson plans which have been provided to the counties. Each county has committed to training available personnel prior to August 24, 2007. Therefore, ENO anticipates that it will complete all of the requirements of the January 31, 2006 Order as supplemented by the 10 C.F.R. § 50.54(f) request by August 24, 2007.

Additional key activities performed by ENO to better ensure that FEMA requirements are met include:

#### Acoustics

- In response to a FEMA request, ENO is in the process of installing five new sirens to increase audibility in certain areas of the Emergency Planning Zone (EPZ).

#### Reliability

- SAIC, an independent consultant, was hired to assist with ENO's troubleshooting and corrective actions, the implementation of which has improved system performance and reliability.
- Reliability testing is statistically based on a Student T test analysis, which ENO believes is acceptable to FEMA. ENO believes this analysis demonstrates that a regime of 30 tests, assuming a relatively wide standard deviation in our results, is sufficient to show with 90% confidence that the test data is valid.

#### Human Factors

- In response to a request from the counties, ENO has completed changes to county emergency response center siren displays to make operation of the system by the counties more user-friendly, including incorporation of an indicator on the county display screen. This indicator informs the county operator that the siren system is about to be activated if the operator continues implementing the siren sequence to lessen the risk of inadvertent actuation of the system.

Notwithstanding our efforts and the achievements set forth above and in Attachments I and II, ENO and FEMA continue to have differences of opinion with respect to certain requirements and requests of FEMA. The most significant issues are: (1) the July 23, 2007 FEMA letter to ENO suggests that a 10 dBC over ambient noise audibility standard is applicable and (2) pre-operability/in-service system independent testing by FEMA communicated to ENO during a July 12, 2007 stakeholder call and reiterated by FEMA during a July 25, 2007 meeting.

As set forth in greater detail in Attachment I, ENO believes that the 10 dBC over ambient noise standard is not the correct standard and, if required, may prevent ENO from meeting the August 24, 2007 pre-operability/in-service date. Our position is based on the following: (a) FEMA guidance allows a utility to elect a 70/60 dBC standard or for low population areas, a 10 dBC over ambient standard; (b) a 10 dBC over ambient standard is inconsistent with the January 5, 2007 Design Report, which was approved by FEMA in its March 22, 2007 correspondence to Mr. Andrew Feeney, First Deputy Director, New York State Emergency Management Office; (c) the Energy Policy Act of 2005 does not direct application of such a standard; (d) exceptions to FEMA requirements and guidelines are not justified due to demographic or topographic considerations and (e) a 10 dBC over ambient standard is inconsistent with the standard that was applied to the existing ANS.

With respect to proposed FEMA independent testing of the system, FEMA has not provided ENO with specific information on the nature and extent of such testing and ENO believes that such pre-operability/in-service testing by FEMA is not required under FEMA's regulations and guidance.

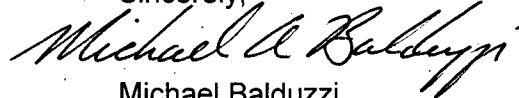
ENO will continue to diligently attempt to resolve FEMA's concerns. However, if ENO is ultimately required to meet the 10 dBC above ambient audibility standard, this could cause a significant delay well beyond the August 24, 2007 operability/in-service date. ENO will provide the NRC with a letter by August 17, 2007, modifying its commitment to satisfy the requirements of the January 2006 Order (as modified) by August 24, 2007, if unresolved issues remain which may result in a failure to meet the August 24, 2007 operability/in-service date. However, in the alternative, ENO suggests that the NRC authorize ENO to continue to work with FEMA to resolve (1) independent testing by FEMA and (2) applicability of the 10 dBC over ambient standard after August 24, 2007, and allow ENO to declare operability and in-service readiness prior to resolution of these issues.

In response to a requirement in the July 30, 2007 Order, this letter also sets forth in Attachment I, a summary of the significant ENO-FEMA issues that have not yet been resolved and a statement of ENO's position with respect to such issues.

Attachment II describes the steps and the expected schedule for completing each step that ENO currently believes is necessary to meet the applicable requirements of state and federal authorities to place the new ANS system into operable/in-service status as the primary notification system. These steps could change based on the outcome of Attachment I issues.

There are no new commitments being made by ENO in this letter. ENO's Answer to the Order, in accordance with 10 CFR 2.202 will be provided in a separate submission. If you have any questions or require additional information, please contact me or Mr. John McCann, Director, Licensing at 914-272-3370.

Sincerely,



Michael Balduzzi  
Senior Vice President & COO  
Regional Operations - Northeast

cc:

Mr. John P. Boska, Senior Project Manager, NRC NRR DORL  
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Mr. Samuel J. Collins, Regional Administrator, NRC Region I  
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NRC Resident Inspector's Office, Indian Point 3  
Mr. Paul Eddy, NYS Department of Public Service  
Ms. Rebecca Thomson, FEMA

**ATTACHMENT I TO NL-07-085**

**REPORT REQUIRED BY NRC ORDER EA-07-189**

**KEY AREAS OF FEMA/ENO DISAGREEMENT  
SUMMARY OF UNCERTAINTIES**

**ENTERGY NUCLEAR OPERATIONS, INC  
INDIAN POINT NUCLEAR GENERATING UNITS NO. 2 and 3  
DOCKETS 50-247 AND 50-286**

## IDENTIFICATION OF UNCERTAINTIES AS REQUIRED BY NRC ORDER EA-07-189

ENO has identified several unresolved issues with FEMA, which present uncertainties that may negatively impact ENO's ability to meet the August 24, 2007 operability/in-service date. Although several issues remain and the outcome of these issues is uncertain, ENO believes, based on its recent communications with FEMA that most of these issues are reasonably likely to be resolved in time for ENO to meet the August 24, 2007 pre-operability/in-service date.

However, two potentially significant impediments to a timely operability/in-service declaration remain: (1) FEMA's requirement stated during a July 12, 2007 stakeholder call and reiterated during a July 25, 2007 meeting that it must perform certain independent tests prior to ENO's declaration of system operability and readiness for service and (2) FEMA's requirement in the July 23, 2007 letter that ENO must demonstrate that the ANS sirens satisfy a 10 dBC above ambient sound pressure level criterion prior to ENO's operability and in-service declaration.

The following discussion sets forth ENO's position regarding the 10 dBC issue and why we believe that FEMA's position is not supported by applicable regulations, guidelines or the Energy Policy Act of 2005.

### ENO's Disagreement with FEMA's 10 dBC Over Ambient Noise Position

FEMA stated in its July 23, 2007 letter (p. 11) that ENO is required to achieve and demonstrate compliance with a 10 dBC above ambient sound pressure level criterion for the Indian Point siren system. ENO believes it is not required to comply with this criterion for the following reasons:

1. FEMA-REP-10 states that a utility may elect to meet the requirements for alerting the public in the EPZ either by: (a) meeting a standard of 70 dBC in areas with population  $\geq 2,000$  persons per square mile and 60 dBC in areas of population  $< 2,000$  persons per square; or (b) for areas of population  $< 2,000$  persons per square mile, 10 dBC above ambient. Guide for the Evaluation of Alert and Notification Systems for Nuclear Power Plants, FEMA-REP-10, November 1985 (FEMA-REP-10) at E-8. ENO decided to use the 70/60 dBC standard, as allowed by FEMA guidelines. It is our understanding that FEMA legal counsel has confirmed to ENO counsel that FEMA-REP-10 authorizes a utility to make such an election.
2. ENO does not believe that NUREG-0654, the NRC and FEMA's joint emergency planning guidance document, specifies any such requirement. Old FEMA guidance that discusses a 10 dBC standard has been superseded by FEMA-REP-10. NUREG-0654/FEMA-REP-1, Rev. 1 Addenda (March 2002) ("NUREG-0654 Addenda") at addendum 24.
3. Although the Design Report discusses the 10 dBC above ambient standard, it clearly and frequently references the 70/60 dBC criteria as the controlling standard and makes clear that the 70/60 dBC criteria are the applicable criteria. Design Report at 7, 13. Furthermore, the Design Report also provided sound contours based upon the 70/60 dBC standard. Design Report at 13, 18 and Design Report Map 1.
4. The Report prepared by FEMA's consultant, Cabazon Group, which addressed ENO's Design Report in support of FEMA's acceptance of that Report, also acknowledged the election by ENO of the 70/60 dBC criteria. Cabazon Report at 1.
5. Although some FEMA staff have stated during recent FEMA/ENO meetings and telephone discussions that the Energy Policy Act of 2005 provisions addressing a backup power supply for the ANS warrant use of the 10 dBC standard, ENO believes the Energy Policy Act of 2005 does not set forth such a requirement. It is our understanding that FEMA's

legal counsel has acknowledged to ENO's legal counsel that the Energy Policy Act of 2005 is not relevant to the analysis of this issue.

6. Finally, some FEMA representatives recently stated that demographic and topographic features warrant the use of the 10 dBC standard. ENO believes FEMA's basis for this requirement is not warranted. Moreover, ENO believes that this FEMA position is inconsistent with FEMA's regulations and guidance, the Design Report and the Cabezon Report discussed above, and is inconsistent with the basis upon which the existing Indian Point siren system was approved.

In summary, ENO believes that the 10 dBC above ambient requirement for the ANS is not supported by applicable law or FEMA's regulation or guidance. ENO committed to the August 24, 2007 operability date in its May 23, 2007 correspondence to the NRC in reliance on FEMA's regulations and guidance as of such date. As discussed, FEMA's regulations and guidance provided ENO with the option to use the 70/60 dBC standard. FEMA's position that a 10 dBC standard is required as set forth in its July 23, 2007 letter is inconsistent with its regulations and guidance and places the August 24, 2007 operability and in-service date in jeopardy.

#### General Uncertainties

FEMA informed ENO during a July 12 stakeholder call and reinforced during a July 25, 2007 meeting at Indian Point that it must review results from additional undefined FEMA tests and document reviews prior to ENO being allowed to place the ANS in service. This requirement had not previously been expressed to ENO as being a prerequisite to ANS operability or in-service status. Based on FEMA's March 22, 2007 correspondence, ENO understood that FEMA's protocol included system performance confirmation assessments and document reviews. However, the timing of such assessments and reviews was after the ANS is declared operable and placed into service. The March 22, 2007 FEMA letter approving the ANS Design Report states,<sup>1</sup>

Final DHS/FEMA acceptance of the new IPEC siren system will be predicated on adequate documentation of the final system components and configuration including operating procedures, results of commissioning testing, software quality assurance (QA) and configuration management, siren system testing frequency, procedures and methods, alert and notification system performance indicators, system interfaces, and the preventive maintenance program.... This information should be included in a consolidated design report and submitted to DHS/FEMA as soon as possible after the new siren system is declared operational.

#### Emphasis added.

Furthermore, at this time FEMA has not provided ENO with specific information as to the nature, type and extent of the proposed FEMA independent testing it wants to conduct, or identified a timeline for commencing or completing such tests. Although ENO requested specifics in this regard during and subsequent to the July 25, 2007 FEMA/ENO/NRC meeting, sufficient information has not yet been provided by FEMA. We will continue to seek this information from FEMA so that any impacts on the August 24, 2007 schedule can be promptly assessed.

ENO relied on the above referenced language in FEMA's March 22, 2007 correspondence in committing to the August 24, 2007 operability/in-service date. FEMA's new requirement creates a

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<sup>1</sup> March 22, 2007 letter to Mr. Andrew Feeney, First Deputy Director, New York State Emergency Management Office from Rebecca S. Thomson, Regional Assistance Committee (RAC) Chair, REP Program Branch Chief, Region II, U. S. Department of Homeland Security/Federal Emergency Management Agency.



potentially significant uncertainty that may place the August 24, 2007 operability/in-service date in jeopardy.

Table 1 below provides a summary of all significant open issues with FEMA that ENO believes remain at this time and ENO's position regarding the reasonable likelihood of resolution of those issues in time to support the August 24, 2007 date. Shaded items represent areas of potentially significant uncertainty.

TABLE 1: SUMMARY OF SIGNIFICANT UNRESOLVED FEMA/ENO ISSUES

Category	FEMA/Requirement/Request	ENO Position Summary and Regulatory Basis	FEMA Resolution Status*
Acoustics	Achieve and demonstrate compliance with 10 dBC above ambient in high noise/high population areas.	See above discussion in Attachment 1.	<b>Unresolved/</b> Resolution Uncertain
Acoustics	Conduct survey of ambient summer sound pressure levels over 3 consecutive days (7:00 AM – 10:00 PM), with statistically valid approach.	Only rationale for ambient testing is if ENO uses 10 dBC criteria, which is inappropriate.	<b>Unresolved –</b> Resolution uncertain
Acoustics	ENO to determine measurement standard that reflects “steady and repeatable” sound pressure level (L <sub>max</sub> or L <sub>eq</sub> ).	No apparent FEMA regulation or standard identifies appropriate measurement standard. L <sub>eq</sub> is conservative and complies with our understanding of FEMA expectations.	<b>Unresolved*</b>
Acoustics	Provide information/basis for test method regarding use of ground-level acoustic measurements and correlation to sound pressure level at siren elevation.	Not aware of any specific regulation or guidelines that address acceptability of ground level measurements and correlation.	<b>Unresolved*</b>
Acoustics/ Reliability/ Backup Power	FEMA must perform unspecified independent testing prior to system operability.	FEMA independent testing prior to operability and/or in-service is unusual if not unprecedented. ENO has invited FEMA to observe its reliability-focused siren tests.	<b>Unresolved –</b> Resolution uncertain
Acoustics	“No information” on statistical representation of bi-directional sirens. “No test data,” therefore, “no statistical testing basis that justifies input values used in Design Report.”	ENO's understanding of this request is based on 7/20/07 FEMA Report at 10.  100% testing of bi-directional sirens should resolve this issue.	<b>Unresolved*</b>
Acoustics	Provide evaluation of sirens with lower than expected acoustic output.	Information to be included in the post-operability design report	<b>Unresolved*</b>
Reliability	Reliability testing usually occurs over approximately one year. ENO must provide protocol for approval by FEMA on calculating 90% reliability <i>prior to placing system into service.</i>	ENO's understanding of this request is based on the 7/23/07 stakeholder call, the 7/25/07 FEMA/ENO meeting, and FEMA-REP-10 at E-10.  ENO intends to provide the requested protocol to FEMA.	<b>Unresolved*</b>
Reliability	FEMA noted that the system's complexity, with 150 sirens and 12 control stations, results in the potential for many combinations / permutations of test configurations and potential failure modes. These failure modes need to be documented and analyzed for corrective action.	Reliability testing will provide sufficient evidence of system performance.  ENO is not aware of a FEMA regulation or guideline that requires ENO to perform a failure modes analysis.	<b>Unresolved –</b> Resolution uncertain

[Asterisk (\*) indicates that based on communications with FEMA, ENOI anticipates resolving the issue prior to August 24, 2007]

**ATTACHMENT II TO NL-07-085**

**REPORT REQUIRED BY NRC ORDER EA-07-189**

**STEPS AND EXPECTED SCHEDULE FOR PLACING THE NEW ANS INTO SERVICE  
AS THE PRIMARY NOTIFICATION SYSTEM**

**ENTERGY NUCLEAR OPERATIONS, INC  
INDIAN POINT NUCLEAR GENERATING UNITS NO. 2 and 3  
DOCKETS 50-247 AND 50-28**

## STEPS AND EXPECTED SCHEDULE FOR PLACING THE NEW ANS INTO SERVICE AS THE PRIMARY NOTIFICATION SYSTEM

NRC Order EA-07-189 Section IV.II requires that ENO provide NRC a report describing the steps and expected schedule for placing the Indian Point Energy Center Alert Notification System (ANS) into service as the Primary Notification System and to identify uncertainties which may affect ENO's ability to meet the August 24, 2007 operability/in-service date. Tables 2 through 5 below provide an update of major activities that have already been implemented in connection with ENO's plan to declare the system operable by August 24, 2007 as described in the May 23, 2007 Reply to Notice of Violation. Table 6 lists the key remaining activities and schedule. A discussion of uncertainties that may adversely impact this schedule is provided in Attachment I.

Table 2: Key FEMA-ENO Interactions (Complete)

Date	Type of Interaction
6/11/07	ENO – FEMA conference call to implement planned approach described in May 23, 2007 Reply to NOV.
6/28/07	Stakeholder conference call regarding project status.
6/29/07	ENO submittal of data requested by FEMA to supplement the Design Report.
7/5/07	Stakeholder conference call regarding project status.
7/12/07	Stakeholder conference call regarding project status.
7/19/07	Stakeholder conference call regarding project status.
7/20/07	ENO CNO meeting with FEMA (Office of the Administrator).
7/23/07	FEMA issues July 20, 2007 Technical Review of ENO 6/29/07 submittal.
7/25/07	ENO – FEMA meeting to discuss FEMA July 20, 2007 Technical Review.
8/2/07	Stakeholder conference call regarding project status.
8/6/07	ENO – FEMA conference call to discuss ENO proposed resolution of FEMA technical conclusions reported in July 20 Technical Review and as discussed at the July 25, 2007 meeting.

Table 3: Key Acoustics Activities (Complete)

Date	Activity
5/1 – 10/07	ENO concludes that acoustic output measured for 14 sirens is the basis for conclusions reported in the May 23, 2007 NOV reply.
6/5-15/07	ENO performs more extensive measurements at 20 sirens, including elevated and ground-level measurements.
6/29/07	ENO submits data to FEMA regarding 20 sirens with conclusion that measurements support the design report acoustic analysis and states plans to collect acoustic data at all 150 sirens.
7/2 - 15/07	Acoustic output measurements for 150 sirens.
7/5/07	ENO agrees during conference call with stakeholders (FEMA and counties) that acoustic measurement data collection will be performed by BRRC personnel.
7/20/07	Technical Review issued by FEMA, in response to 6/29/07 ENO data submittal, provides observations / conclusions regarding siren acoustic output.
7/25/07	Technical meeting with FEMA, to discuss contents of the 7/20/07 FEMA.

Date	Activity
	Technical Review.
7/25 – 8/6/07	ENO performs new acoustic analyses to address FEMA concerns.
7/29/07	ENO identifies 5 new siren locations based on results of the new acoustic analyses.
8/5/07	ENO completes physical installation of sirens at 5 new locations.
8/6/07	ENO – FEMA conference call, including discussion of new analyses and addition of 5 sirens.

Table 4: Key System Functionality and Reliability Activities (Complete)

Date	Activity
5/9 – 16/07	Perform series of diagnostic tests for siren activation reliability.
5/24 – 6/1/07	Perform series of diagnostic tests for siren activation reliability.
6/15 – 6/27/07	Perform series of diagnostic tests for siren activation reliability.
6/21/07	SAIC begins assessment of system design, installation, and performance to support ENO's efforts to resolve siren activation reliability problems.
6/29/07	ENO submits data from 3 sets of siren activation diagnostic tests to FEMA.
7/9/07	ENO reported at NRC public meeting that test results are good on average but better consistency is needed for radio pathway.
7/20/07	Technical Review issued by FEMA, in response to 6/29/07 data submittal, provides observations / conclusions regarding siren activation diagnostic testing including need for a statistical method that establishes a confidence level when reliability validation testing is performed.
7/25/07	Technical meeting with FEMA, to discuss contents of the 7/20/07 FEMA Technical Review.
7/26-30/07	ENO develops a reliability validation test series that incorporates a statistical method for establishing a confidence level in response to FEMA 7/20/07 Technical Review and 7/25/07 meeting.
7/31/07	ENO completes implementation of necessary recommendations and corrective actions from SAIC study.
7/28-31/07	Diagnostic testing supports ENO decision to proceed with reliability validation test series.
8/1 – 6/07	Reliability validation test series using radio-microwave activation path performed.
8/6/07	ENO – FEMA conference call, including discussion of siren activation reliability resolution.

Table 5: Key Training Plans and Procedure Enhancements (Complete)

Date	Activity
7/31/07	Software upgrades completed including implementation of enhanced CCU display features requested by counties.
8/6/07	Issued updated training plans to counties.
8/6/07	Established final training dates with counties.

The following Table provides the remaining steps and associated schedule that ENO believes can be achieved (not considering uncertainties discussed Attachment 1) in support of a declaration of ANS operability and readiness for service prior to August 24, 2007.

Table 6: Key Remaining Activities and Anticipated Schedule

ITEM #	ACTIVITY	SCHEDULE
1.	Balance of documentation regarding backup power testing activities available for NRC inspection.	August 6, 2007
2.	Integrate 5 new sirens into the communication and control system.	August 7, 2007
3.	Conduct additional Communication and Control System reliability validation testing.	August 7-11, 2007
4.	Conduct ground-level acoustic measurement of 5 new sirens.	By August 11, 2007
5.	Maintenance, testing, and operating procedures in place.	By August 11, 2007
6.	ENO to provide updated training to available county personnel.	August 7-9, 2007 The current schedule for conducting final training to the counties is as follows: Putnam 8/8 and 8/17; Orange 8/8; Rockland 8/7, 8/9 and 8/16; Westchester 8/20 and 8/21
7.	NRC notification to FEMA regarding inspection of backup up power testing activities.	Schedule uncertain
8.	FEMA complete review / approval for placing ANS in service	Schedule uncertain
9.	Target date for ENO declaring system operability and placing system in service.	By August 24, 2007 (subject to schedule uncertainties described in this report)