



UNITED STATES  
**NUCLEAR REGULATORY COMMISSION**  
REGION I  
475 ALLENDALE ROAD  
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

September 12, 2007

Mr. Fred Dacimo  
Site Vice President  
Entergy Nuclear Operations Inc.  
Indian Point Energy Center  
450 Broadway, GSB  
Post Office Box 249  
Buchanan, NY 10511-0249

**SUBJECT: REQUEST TO DELAY THE NRC 95001 INSPECTION AT INDIAN POINT  
NUCLEAR GENERATING UNIT 3**

Dear Mr. Dacimo:

This letter acknowledges receipt of your letter dated September 7, 2007, which documents your request to cease the ongoing performance of supplemental inspection procedure 95001, "Inspection For One Or Two White Inputs In A Strategic Performance Area," at Indian Point Nuclear Generating Unit 3. The NRC had begun this supplemental inspection on September 4, 2007, to review Entergy's causes and corrective actions for a White performance indicator.

As stated in your letter, the NRC was notified of your readiness for the inspection on August 16, 2007, and we confirmed in our Mid-cycle Performance Review and Inspection Plan letter of August 31, 2007, the NRC's plan to conduct the inspection beginning September 4, 2007. On September 6, 2007, Entergy concluded that you were not prepared for the inspection and needed additional time to complete and document causal evaluations and corrective actions.

On September 6, 2007, we ceased the inspection. Based on our preliminary review and your request, we agree Entergy was not adequately prepared for the requested 95001 inspection. We understand you have entered this issue into the Indian Point corrective action program. We intend to conduct an assessment of your evaluation and corrective actions in conjunction with the rescheduled inspection.

We note, as stated in the August 31, 2007 Mid-cycle Performance Review letter, that your "Unplanned Scrams per 7000 Critical Hours" performance indicator exceeded the Green/White threshold of greater than three scrams for Unit 3. This performance indicator remains as White through the third quarter of 2007. You should be aware that upon completion of our rescheduled 95001 inspection, if significant weaknesses in your evaluations are found, a White performance indicator inspection finding could be opened under the conditions of NRC Inspection Manual Chapter 0305.

The inspection will not be rescheduled until the above actions are complete and suitable for NRC review. The time and labor charged by the NRC for this effort will include the deferred inspection. Please notify us by letter when you have reached this determination. If you have any questions regarding this matter, please contact Mr. Eugene Cobey at 610-337-5171.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter 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/**

Samuel J. Collins  
Regional Administrator

Docket No. 50-286  
License No. DPR-64

cc:  
see next page

cc:

J. Wayne Leonard, Chairman and CEO, Entergy Nuclear Operations, Inc.  
G. J. Taylor, Chief Executive Officer, Entergy Operations  
M. Kansler, President & CEO/CNO, Entergy Nuclear Operations, Inc.  
J. T. Herron, Senior Vice President, Entergy Nuclear Operations, Inc.  
M. Balduzzi, Senior Vice President & COO, Regional Operations Northeast  
Senior Vice President of Engineering and Technical Services  
J. DeRoy, Vice President, Operations Support (ENO)  
A. Vitale, General Manager, Plant Operations (Acting)  
O. Limpas, Vice President, Engineering (ENO)  
J. McCann, Director, Nuclear Safety and Licensing (ENO)  
Manager, Licensing (ENO)  
E. Harkness Director of Oversight (ENO)  
P. Conroy, Director, Nuclear Safety Assurance  
T. R. Jones, Manager, Licensing  
T. C. McCullough, Assistant General Counsel, Entergy Nuclear Operations, Inc.  
P. Tanko, President and CEO, New York State Energy Research and Development Authority  
P. Eddy, Electric Division, New York State Department of Public Service  
P. Smith, President, NYS Energy, Research, and Development Authority  
C. Donaldson, Esquire, Assistant Attorney General, New York Department of Law  
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R. Albanese, Four County Coordinator  
S. Lousteau, Treasury Department, Entergy Services, Inc.  
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Assemblywoman Sandra Galef, NYS Assembly  
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D. Lochbaum, Nuclear Safety Engineer, Union of Concerned Scientists  
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J. Spath, New York State Energy Research, SLO Designee

A. J. Kremer, New York Affordable Reliable Electricity Alliance (NY AREA)

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Sincerely,

**/RA/**

Samuel J. Collins  
Regional Administrator

Docket No. 50-286  
License No. DPR-64

cc:  
see next page

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**SUNSI Review Complete:   BW   (Reviewer's Initials)**

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