

UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

ENERGY NUCLEAR INDIAN POINT 2, LLC, AND
ENERGY NUCLEAR OPERATIONS, INC.
INDIAN POINT NUCLEAR GENERATING UNIT NO. 2

Docket Nos. 50-247-OLA

ASLBP No. 02-798-01-OLA

ESTABLISHMENT OF ATOMIC SAFETY AND LICENSING BOARD

Pursuant to delegation by the Commission dated December 29, 1972, published in the Federal Register, 37 Fed. Reg. 28,710 (1972), and Sections 2.105, 2.700, 2.702, 2.714, 2.714a, 2.717, 2.721, and 2.772(j) of the Commission's Regulations, all as amended, an Atomic Safety and Licensing Board is being established to preside over the following proceeding:

ENERGY NUCLEAR INDIAN POINT 2, LLC, AND
ENERGY NUCLEAR OPERATIONS, INC.
INDIAN POINT NUCLEAR GENERATING UNIT NO. 2

This Board is being established pursuant to a notice of consideration of issuance of operating license amendment, proposed no significant hazards consideration determination, and opportunity for a hearing published in the Federal Register (66 Fed. Reg. 44,161, 44,165 (Aug. 22, 2001)). The proceeding involves a petition for leave to intervene and request for a hearing submitted March 18, 2002, by Riverkeeper, Inc., challenging a July 13, 2001 request by then-licensee Consolidated Edison Company of New York, Inc., to amend the operating license for the Indian Point Nuclear Generating Unit No. 2. (By order dated August 27, 2001, the agency approved a license transfer request regarding Indian Point Nuclear Generating Unit No. 2 that made Entergy Nuclear Indian Point 2, LLC, the facility owner and Entergy Nuclear Operations, Inc., its licensed operator.) The amendment would make a change to the facility

technical specifications to increase the interval for the Type A containment integrated leak rate test from at least once per ten years to once per fifteen years, albeit applicable only to the interval following the last Type A test, which was satisfactorily performed in June 1991.

The Board is comprised of the following administrative judges:

Michael C. Farrar, Chair
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Dr. Richard F. Cole
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Dr. Charles N. Kelber
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

All correspondence, documents, and other materials shall be filed with the administrative judges in accordance with 10 C.F.R. § 2.701.

/RA/

G. Paul Bollwerk, III
Chief Administrative Judge
Atomic Safety and Licensing Board Panel

Issued at Rockville, Maryland,
this twelfth day of April 2002.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
ENTERGY NUCLEAR INDIAN POINT 2, LLC) Docket No. 50-247-OLA
AND ENTERGY NUCLEAR OPERATIONS, INC.)
)
(Indian Point Nuclear Generating Station,)
Unit No. 2)

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing ESTABLISHMENT OF ATOMIC SAFETY AND LICENSING BOARD have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Michael C. Farrar, Chair
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Richard F. Cole
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Charles N. Kelber
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Sara E. Brock, Esq.
Catherine L. Marco, Esq.
Office of the General Counsel
Mail Stop - O-15 D21
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Karl Coplan, Esq.
Pace Environmental Litigation Clinic, Inc.
Counsel for Riverkeeper, Inc.
78 North Broadway
White Plains, NY 10603

J. Michael McGarry, III, Esq.
Kathryn M. Sutton, Esq.
Winston & Strawn
1400 L Street, NW
Washington, DC 20005-3502

John Fulton, Esq.
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

Docket No. 50-247-OLA
ESTABLISHMENT OF ATOMIC SAFETY AND
LICENSING BOARD

[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 12th day of April 2002