

April 1, 2004

Mr. Paul Eccard  
First Selectman  
Town of Waterford  
15 Rope Ferry Road  
Waterford, CT 06385

SUBJECT: ACKNOWLEDGMENT OF RECEIPT OF YOUR LETTERS REQUESTING  
PARTY STATUS AND DESIGNATION OF REPRESENTATIVES REGARDING  
THE RE-LICENSING OF MILLSTONE POWER STATION, UNITS 2 AND 3

Dear Mr. Eccard,

The staff of the U.S. Nuclear Regulatory Commission (NRC) has received your letters dated March 2 and 16, 2004, regarding your request that the Town of Waterford be considered as a party to all proceedings before the NRC regarding the license renewal applications for Millstone Power Station, Units 2 and 3. You also stated in the letters that the Town of Waterford is not requesting a hearing or petitioning to intervene in the license renewal proceedings. In addition, you requested the NRC to add certain individuals as points of contact for the Town of Waterford to receive notices from the NRC.

On March 12, 2004, a notice of an opportunity to request a hearing regarding the renewal applications for the Millstone units was published in the *Federal Register*, which set forth the requirements for requesting party status. In order to obtain party status, a request for hearing or petition to intervene must be filed with the Office of the Secretary of the Commission, in the manner specified in the March 12<sup>th</sup> *Federal Register* notice and in 10 CFR § 2.309, which is referenced in that notice. Since you are not requesting a hearing or petitioning to intervene, it appears that the Town of Waterford has not met the requirements for party status at this time.

In your letters you refer to 10 CFR § 2.315(c) of the Commission's regulations. That provision enables certain governmental entities to participate as non-parties in NRC proceedings in which a hearing will be held. This means that if any entity requests a hearing in accordance with the method specified in the *Federal Register* and 10 CFR § 2.309 -- and that hearing request is granted -- certain governmental entities may participate in the proceeding as non-parties. It is the NRC's understanding that the Town of Waterford is seeking to participate as a non-party in any future hearing, should one otherwise be granted. The Town of Waterford's request, in this regard, should be made before the NRC presiding officer who will be designated to rule on any requests for hearing and for intervention.

P. Eccard

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On March 25, 2004, the Commission referred a request for a hearing and petition to intervene filed by the Connecticut Coalition Against Millstone to the Atomic Safety and Licensing Board Panel for appropriate action. Accordingly, the NRC staff is forwarding your letters to the Atomic Safety and Licensing Board Panel. In response to your request regarding receipt of notices, the NRC staff will include the persons identified in your letters on the docketing service list for the Millstone Unit 2 and Unit 3 license renewal applications. Should you have any questions, please contact Catherine L. Marco, Senior Attorney, Office of the General Counsel, at 301-415-3052.

Sincerely,

*/RA/* Jonathan Rowley for

Russell Arrighi, Project Manager  
License Renewal Section A  
License Renewal and Environmental Impacts Program  
Division of Regulatory Improvement Programs  
Office of Nuclear Reactor Regulation

Docket Nos.: 50-336 and 50-423

cc w/o encl: See next page

cc w/encl: G. Paul Bollwerk, III  
Chief Administrative Judge  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission

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Russell Arrighi, Project Manager  
License Renewal Section A  
License Renewal and Environmental Impacts Program  
Division of Regulatory Improvement Programs  
Office of Nuclear Reactor Regulation

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Chief Administrative Judge  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission

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\*See previous concurrence

Accession No: ML040920601

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NAME	RArrighi JRowley for	YEdmonds	CMarco*	SLee TLiu for
DATE	4/1/2004	4/1/2004	4/1/2004	4/1/2004

OFFICIAL RECORD COPY

**HARD COPY**

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Millstone Power Station, Units 2 and 3

cc:

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