

August 25, 2004

Ms. Vanessa Noble Gang
Consultants In Care, Inc.
3725 Henry Hudson Pkwy West
Riverdale, NY 10463

Dear Ms. Gang:

I am writing in response to your letter of July 9, 2004, regarding Entergy Nuclear Northeast's plans to construct an independent spent fuel storage installation (ISFSI) at the Indian Point Nuclear Generating Station in Buchanan, New York. In your letter, you requested the NRC hold public hearings on the proposed ISFSI to allow for more meaningful input from experts, citizens, public interest groups, and elected officials.

Let me assure you that the NRC always considers new information and recommendations relative to the safety and security of the facilities we regulate, which includes ISFSIs. The NRC maintains multiple avenues, including public meetings, correspondence, email, web-site, and toll-free telephone numbers, for individuals to bring forth their safety and security concerns. All issues brought to the NRC are carefully evaluated and, if necessary, prompt action is taken to ensure the safety and security of the public.

With regard to your specific request for public hearings, Entergy is proceeding with plans for a dry cask storage facility under the General License provisions of NRC regulations in 10 CFR Part 72. Under this regulation, a General License for the storage of spent fuel in an ISFSI at power reactor sites licensed under 10 CFR Part 50 is already authorized. Therefore, there is no additional NRC licensing proceeding in which to offer the opportunity for a hearing. However, the NRC staff has conducted several meetings near Indian Point to discuss the regulatory oversight of ISFSIs, the safety and security of these facilities, and concerns raised by external stakeholders. Most recently, at a meeting on July 15, 2004, NRC technical experts and senior managers provided information about the agency's oversight and inspection of dry cask systems, and responded to questions from concerned citizens and local community leaders.

The NRC established the General License provisions for ISFSIs in 1990 in response to Congressional direction in the Nuclear Waste Policy Act (NWPA) of 1982, as amended. One of the provisions of the NWPA directed the NRC to develop a streamlined process for licensing dry cask storage at reactor sites, specifying that dry cask storage technologies should be established which, "... the Commission may, by rule, approve for use at the sites of civilian nuclear power reactors without, to the maximum extent practicable, the need for additional site-specific approvals by the Commission." Regardless of whether a hearing is conducted, the NRC remains committed to evaluating any concerns regarding the safety and security of nuclear facilities. Upon consideration of those concerns, the NRC will take appropriate action to fulfill our mission to protect public health and safety.

Ms. Vanessa Noble Gang

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Thank you for your continued involvement and interest in safety at Indian Point. If you have any questions regarding our oversight of Indian Point, please contact Brian McDermott, Chief, Projects Branch 2 at (610) 337-5233.

Sincerely,

/RA/

Brian E. Holian, Deputy Director
Division of Reactor Projects

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