

June 26, 2007

Dr. Lisa Rainwater
Riverkeeper, Inc.
828 South Broadway
Tarrytown, New York 10591

Dear Dr. Rainwater:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter to Chairman Klein, dated May 2, 2007, regarding the NRC's review of the Indian Point license renewal application. In your letter, you request that the NRC reverse its decision to limit public participation in the relicensing of nuclear power plants, and reinstate a policy of providing at least three public meetings during the license renewal process.

As you note in your letter, the NRC staff adopted the practice of combining the license renewal process overview meeting with the environmental scoping meeting. This change was not intended to limit the level of public participation, but to more efficiently use staff resources. However, we value public input and are continually evaluating the need to modify our practices to ensure that the needs of the public are met. The NRC staff has decided that for the Indian Point license renewal application, it will hold a separate information meeting near the plant to discuss the license renewal process. This information meeting will be in addition to the two public meetings that are typically conducted as part of the environmental review process and other meetings held during the review.

Public participation is an important part of the license renewal review process that includes multiple opportunities for public involvement, such as:

- A formal adjudicatory hearing process that allows any person who may be adversely affected, and who wishes to participate as a party in the license renewal proceeding, to file a written request for a hearing or petition for leave to intervene with respect to the renewal of the license.
- Meetings with members of the public to provide information about the license renewal review process.
- Meetings with members of the public as part of the environmental review to solicit comments during the scoping process and upon issuance of the draft environmental impact statement.
- Meetings with the applicant to present the NRC's inspection findings or to discuss issues related to the safety and environmental reviews, which members of the public are invited to attend.

- Meetings with the Advisory Committee on Reactor Safeguards, which members of the public are invited to attend.

The Indian Point license renewal application is currently being reviewed by the NRC staff to determine if the application is acceptable for docketing in accordance with the requirements of Section 2.101 of Title 10 of the *Code of Federal Regulations* (10 CFR 2.101). The NRC staff is considering the issues raised by Riverkeeper in Mr. Musegaas' and Mr. Tafur's letter of June 4, 2007, with regard to the license renewal application's environmental report as part of the acceptance review. Should the NRC staff ultimately determine that the application is acceptable for docketing, a schedule for the license renewal review will be established and available for the public.

The public participation opportunities outlined above should provide you and other stakeholders ample opportunity to interact with the NRC staff to address environmental and safety concerns that are within the scope of license renewal. If you have additional questions, the NRC staff would be pleased to meet with you or your staff to discuss the NRC's license renewal process.

Sincerely,

/RA/

J. E. Dyer, Director
Office of Nuclear Reactor Regulation

- Meetings with the Advisory Committee on Reactor Safeguards, which members of the public are invited to attend.

The Indian Point license renewal application is currently being reviewed by the NRC staff to determine if the application is acceptable for docketing in accordance with the requirements of Section 2.101 of Title 10 of the *Code of Federal Regulations* (10 CFR 2.101). The NRC staff is considering the issues raised by Riverkeeper in Mr. Musegaas' and Mr. Tafur's letter of June 4, 2007, with regard to the license renewal application's environmental report as part of the acceptance review. Should the NRC staff ultimately determine that the application is acceptable for docketing, a schedule for the license renewal review will be established and available for the public.

The public participation opportunities outlined above should provide you and other stakeholders ample opportunity to interact with the NRC staff to address environmental and safety concerns that are within the scope of license renewal. If you have additional questions, the NRC staff would be pleased to meet with you or your staff to discuss the NRC's license renewal process.

Sincerely,

/RA/

J. E. Dyer, Director
Office of Nuclear Reactor Regulation

DISTRIBUTION: G20070320/LTR-07-0324

See next page

ADAMS Accession No.: **ML071370417**

OFFICE	PM:RLRA:DLR	PM:REBB:DLR	PM:RLRB:DLR	LA:DLR	Tech Editor
NAME	JAyala	BPham	KGreen	YEdmonds	L-ACulp
DATE	05/16/07	05/16/07	05/17/07	05/17/07	05/16/07
OFFICE	BC:REBB:DLR	BC:RLRB:DLR	D:DLR	OGC	D:NRR
NAME	RFranovich	RAuluck	PTKuo	S.Turk (NLO)	JDyer
DATE	05/16/07	05/17/07	06/04/07	06/06/07	06/11/07
OFFICE	EDO	OCM	D:NRR		
NAME	M. Virgilio forLReyes		JDyer		
DATE	06/13/07	06/ 26 /07	06/26/07		

OFFICIAL RECORD COPY

Letter to L Rainwater from J. E. Dyer, dated June 26, 2007

SUBJECT: RESPONSE LETTER TO L. RAINWATER (G20070320/LTR-07-0324)

DISTRIBUTION:

HARD COPY

DLR RF

E-MAIL:

PUBLIC

RidsEdoMailCenter

RidsSecyMailCenter

RidsOgcMailCenter

RidsNrrWpcMail

RidsNrrOd

RidsNrrAdro

RidsNrrAdes

RidsRgn1MailCenter

RidsNrrDlr

RidsNrrDlrRIra

RidsNrrDlrRIrb

RidsNrrDlrRIrc

RidsNrrDlrReba

RidsNrrDlrRebb

BPham

RFranovich

Kgreen

JCaverly

RAuluck

MKowal

JBoska

ECobey, RI

GMeyer, RI

MMcLaughlin, RI

NMcNamara, RI

RBarkley, RI

GBowman, RI

CHott, RI

RConte, RI

MCox, RI

DJackson, RI

BWittick, RI

NSheehan, RI OPA

DScrenci, RI OPA

SBurnell, OPA

DMcIntyre, OPA

RShane, OCA