

November 21, 2007

Susan Shapiro, Esq.
Attorney for FUSE
(Friends United for Sustainable Energy)
21 Perlman Drive
Spring Valley, NY 10977

Dear Ms. Shapiro:

I am writing in response to your letter of August 30, 2007, regarding the Indian Point Nuclear Generating Unit Nos. 2 and 3 (Indian Point) license renewal application (LRA) submitted by Entergy Nuclear Operations, Inc., (Entergy). In your correspondence, you asserted that (1) the NRC's public notification of the September 19, 2007, Environmental Scoping meeting was incorrect and misleading; (2) the NRC's acceptance and docketing of the combined LRA for Indian Point Units 2 and 3, in a single proceeding, was improper; (3) the LRA was improperly submitted by Entergy Nuclear Operations, Inc., instead of IP2 LLC and IP3 LLC; and (4) that the NRC should not approve Entergy's application for indirect transfer of control of Facility Operating Licenses Nos. DPR-26 and DPR-64 from IP2 LLC and IP3 LLC to another corporate entity, in the middle of the LRA review.

The NRC staff has reviewed the assertions presented in your letter concerning the Indian Point license renewal application and the staff's review of that application. Based upon our review, we have concluded that the assertions presented in your letter are without merit. Specifically, the *Federal Register* notices published on August 1, 2007 (72 FR 42134), and August 10, 2007 (72 FR 45075), provided proper notice to the public, respectively, of the NRC's receipt and consideration of the Indian Point LRA and opportunity for hearing thereon, and of the environmental scoping meeting held on September 19, 2007. Further, the LRA correctly identifies the facility licensees, including IP2 LLC and IP3 LLC; it was not improper for Entergy to have submitted the LRA, nor was Entergy required to submit separate license renewal applications for Units 2 and 3. Finally, Entergy's application for indirect transfer of the licenses for various facilities (submitted on July 30, 2007) will be considered on its own merits, separately from the Indian Point LRA proceeding.

Thank you for your interest in the license renewal process for Indian Point.

Sincerely,

/RA/

Pao-Tsin Kuo, Director
Division of License Renewal
Office of Nuclear Reactor Regulation

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Pao-Tsin Kuo, Director
Division of License Renewal
Office of Nuclear Reactor Regulation

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Letter to S. Shapiro, from P.T. Kuo, dated November 21, 2007

SUBJECT: RESPONSE LETTER TO S. SHAPIRO, (G20070634/LTR-07-0601)

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