

From: "Joan Matthews" <jlmatthe@gw.dec.state.ny.us>
To: "Bo Pham" <BMP@nrc.gov>
Date: 9/12/2007 3:02:07 PM
Subject: Re: Advanced electronic copy

Hi Bo,
Here's the letter.
Joan

Joan Leary Matthews
Senior Counsel for Special Projects
Office of General Counsel
NYS Dep't of Env'tl Conservation
625 Broadway
Albany, NY 12233-5500
(518) 402-9190

>>> "Bo Pham" <BMP@nrc.gov> 9/11/2007 5:35 PM >>>
Hi Joan,

Thanks for your message. I'd very much appreciate an electronic copy
of the letter.
Thanks.

Bo Pham
Project Manager
Division of License Renewal
U.S. Nuclear Regulatory Commission
301-415-8450
O-7B1
bmp@nrc.gov

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Recipients

"Bo Pham" <BMP@nrc.gov>

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September 11, 2007

Hon. Dale E. Klein
Chairman
United States Nuclear Regulatory Commission
Washington D.C. 20555-0001

Dear Chairman Klein:

The State of New York respectfully requests a 60-day extension in which to file its Request for a Hearing/Petition for Leave to Intervene in response to the relicensing application filed by Entergy Nuclear Operations, Inc. for the Indian Point nuclear power plant (Indian Point 2 and Indian Point 3) located in Buchanan, New York.

The State has been working diligently to prepare its response since the NRC published a notice in the Federal Register on August 1, 2007, that Entergy's relicensing application for Indian Point was accepted for review, thereby commencing the NRC's 60-day time period within which to file these papers. This Department has taken the lead to coordinate with all other affected State agencies so that the State can submit a single set of papers as required by the NRC's regulations. This coordination requires many meetings and a great deal of consultation and intra-agency cooperation, all of which takes a significant amount of time.

Statewide coordination has been complicated because many of the staff assigned to review the extensive and complex application for relicensing have been diverted to respond to a number of problems that have arisen at Indian Point this year, including multiple unplanned shutdowns for Unit 3, an ongoing groundwater investigation, and issues with certifying the new siren warning system for the site.

In addition, the process to retain consultants and experts to provide necessary support and expertise is subject to State procurement procedures, which is very difficult to accomplish within 60 days. We began the process early for some of these individuals, but as we have developed our contentions over the last five weeks, we have seen the need to retain additional experts and consultants. This process will not likely be concluded by the October 1, 2007, deadline established by the NRC.

Finally, the lead counsel responsible for coordinating the State's response has had a significant family emergency, which has delayed compiling the State's submission. Though this attorney will be more available in the near future, the State's ability to meet the Commission's

deadline has unfortunately been affected.

The State has automatic standing to participate in this process and its significant interest will not be advanced by any other party. A 60-day extension would enable the State to participate more fully and to more meaningfully contribute to the relicensing proceeding. This short delay will be justified by the State's ability to assist the NRC in developing a balanced record. For all of these reasons, we respectfully request that the NRC grant a 60-day extension until November 30, 2007.

Respectfully submitted,

Alison H. Crocker

Alison H. Crocker

cc: Bo Pham, NRC Project Manager