



STATE OF NEW YORK
DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231-0001

ELIOT SPITZER
GOVERNOR

LORRAINE A. CORTÉS-VÁZQUEZ
SECRETARY OF STATE

January 10, 2008

Jim Costedio
Manager - Licensing
Entergy Nuclear Northeast
Entergy Nuclear Operations, Inc.
James A. Fitzpatrick NPP
P.O. Box 110
Lycoming, NY 13093

Re: F-2007-1155 (formerly F-2006-0788)
Nuclear Regulatory Commission -Operating License Renewal
for James A. FitzPatrick Nuclear Power Plant
Town of Scriba, NY

Necessary Data and Information to Commence Review

Dear Mr. Costedio,

Entergy Nuclear Operations, Inc. (Entergy) has requested the Department of State (DOS) to commence the coastal consistency review under the New York Coastal Management Program (NYCMP) for relicensing the James A. FitzPatrick Nuclear Power Plant (JAFNPP). (See letter from Entergy dated December 6, 2007 that DOS received on December 14, 2007 appended here as Attachment 1).

Entergy initially submitted its consistency certification and request for concurrence in a letter dated July 31, 2006. (Attachment 2) Entergy then withdrew its consistency certification in a letter dated November 20, 2006 to await the Nuclear Regulatory Commission's issuance of the final Supplemental Environmental Impact Statement (SEIS) for this activity. (Attachment 3) DOS responded in a letter dated November 27, 2006 that it would commence review of the consistency certification when it receives all necessary data and information, including the final SEIS. (Attachment 4)

DOS acknowledges receipt of your re-submitted consistency certification and supporting information regarding this activity on December 14, 2007. The final SEIS, however, is necessary data and information that DOS requires to commence the six-month coastal consistency review period under the NYCMP and 15 C.F.R. Sections 930.58 (a) and 930.60 (a)(2).

DOS has learned that the final SEIS could be issued by January 30, 2008 and anticipates commencing the consistency review for this activity upon receipt of the final SEIS. During the consistency review period, DOS may request Entergy to submit additional information. (see, 15 C.F.R. Section 930.63[c]).

Please note that DOS has updated your application file number to F-2007-1155. If you have any

questions regarding this matter, please contact either myself or Jeff Zappieri at (518) 474-6000.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Kasius". The signature is fluid and cursive, with the first name "Andrew" written in a larger, more prominent script than the last name "Kasius".

Andrew Kasius
Coastal Energy Facilities Specialist
Consistency Review Unit

encl: (4)

cc: Alyse Peterson, NYSERDA
Chris Hogan, NYSDEC
Jessie Muir, NRC



Entergy Nuclear Northeast
Entergy Nuclear Operations, Inc.
James A. Fitzpatrick NPP
P.O. Box 110
Lycoming, NY 13093
Tel 315 342 3840

December 6, 2007
JAFF-07-0135

Rec'd Coastal Resources

DEC 14 2007

Andrew Kasius
New York State Department of State
Division of Coastal Resources
41 State Street
Albany, NY 12231-0001

RE: JAMES A. FITZPATRICK NUCLEAR POWER PLANT

Dear Mr. Kasius,

Thank you for your attention to the application for a Coastal Zone Management (CZM) Consistency Certification that James A. FitzPatrick Nuclear Power Plant (JAFNPP) previously submitted to your office on July 31, 2006 (JAFF-06-0111) and subsequently withdrew from review on November 20, 2006 (JAFF-06-0162). At this time Entergy requests that the examination of JAFNPP's application for a CZM Consistency Certification be re-initiated by the New York State Division of Coastal Resources. The Nuclear Regulatory Commission's (NRC) final Supplementary Environmental Impact Statement (SEIS), which is necessary for a CZM determination, will be released in January of 2008.

Please do not hesitate to contact Mr. Michael Rodgers, PE of the plant staff with any questions you may have or if you should require any additional materials to assist in your review. He can be reached at 315-349-6571.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Costedio".

Jim Costedio
Manager-Licensing



Rec'd Coastal Resources

AUG 01 2006

Entergy Nuclear Northeast
Entergy Nuclear Operations, Inc.
James A. Fitzpatrick NPP
P.O. Box 110
Lycoming, NY 13093
Tel 315 349 6024 Fax 315 349 6480

July 31, 2006
JAFP-06-0111

Pete Dietrich
Site Vice President - JAF

F-2006-0788 AK

New York State Department of State
Division of Coastal Resources
41 State St.
8th Floor
Albany, NY 12231

Entergy Nuclear Operations Inc. (ENO) is applying to the U.S. Nuclear Regulatory Commission (NRC) for renewal of the James A. FitzPatrick Nuclear Power Plant (JAFNPP) license to operate for an additional 20 years beyond the current expiration date of October 17, 2014. As part of the application process to the NRC, ENO must certify that the proposed activities are in compliance with the Coastal Zone Management Act. In conjunction with the license renewal process, ENO performed a review for JAFNPP's consistency with the Coastal Zone Management Act and has concluded that the proposed activity complies with New York State's Coastal Management Program.

In accordance with Federal regulations for license renewal (10 CFR 54), ENO has included the Environmental Report with the license renewal application. The report includes a description of the proposed action, the affected environment, and an analysis of environmental consequences and mitigating actions. Also included in the report is a complete list of licenses, permits, and other approvals from Federal, State, and local authorities for current JAFNPP operations, in addition to consultations and approvals required for the approval of the license for the extended period of JAFNPP operations. The license renewal application, which includes the Environmental Report, and Federal Consistency Certification are included for your review.

I would appreciate a letter concurring with the enclosed Coastal Zone Management Program Consistency Certification, following your review of the Federal Consistency Assessment Form. A copy of your response will be made available to the NRC during the NRC's environmental review of the license renewal application.

Sincerely,

A handwritten signature in black ink, appearing to read "Pete Dietrich".

Pete Dietrich
Site Vice-President
James A. FitzPatrick Nuclear Power Plant

Enclosures:
Federal Consistency Certification
JAFNPP License Renewal Application



Rec'd Coastal Resources

NOV 27 2006

1-2006-0788 AK

Entergy Nuclear Northeast
Entergy Nuclear Operations, Inc.
James A. Fitzpatrick NPP
P.O. Box 110
Lycoming, NY 13093
Tel 315 349 6024 Fax 315 349 6480

Pete Dietrich
Site Vice President - JAF

November 20, 2006
JAFP-06-0162

Andrew Kasius
New York State Department of State
Division of Coastal Resources
41 State Street
Albany, NY 12231-0001

RE: JAMES A. FITZPATRICK NUCLEAR POWER PLANT

Dear Mr. Kasius,

Thank you for your attention to the application for a Coastal Zone Management (CZM) Consistency Certification that James A. FitzPatrick Nuclear Power Plant (JAFNPP) has recently submitted to your office. In light of the fact that the Nuclear Regulatory Agency's (NRC) draft Supplementary Environmental Impact Statement (SEIS) will not be released until August 2007, Entergy requests that at this time, the CZM application be withdrawn to allow the Division of Coastal Resources the ability to review the draft SEIS in concert with the JAFNPP CZM application. Within several weeks of the NRC SEIS being released for publication, Entergy will contact you regarding the JAFNPP CZM application.

Please do not hesitate to contact Mr. Michael Rodgers, PE of the plant staff with any questions you may have. He can be reached at 315-349-6571.

Sincerely,

A handwritten signature in black ink, appearing to be "P. Dietrich", written over a circular stamp.

P. DIETRICH
SITE VICE PRESIDENT - JAF

S. BONO
ENG. DIRECTOR FOR P. DIETRICH

^{1/26}
PD:mdr:jbh

Xc: D. Harrison
R. Buckley
J. Brochu

R. Plasse
M. Stroud (ANO)



STATE OF NEW YORK
DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231-0001

GEORGE E. PATAKI
GOVERNOR

CHRISTOPHER L. JACOBS
SECRETARY OF STATE

November 27th, 2006

Pete Dietrich
Site Vice President
Entergy Nuclear Northeast
James A. Fitzpatrick NPP
P.O. Box 110
Lycoming NY, 13093

Re: F-2006-0788
Nuclear Regulatory Commission -Operating License
Renewal for James A. FitzPatrick Nuclear Power Plant
Town of Scriba, NY
Withdrawal of Consistency Certification

Dear Mr. Dietrich,

The Department of State received your letter dated November 20th, 2006 withdrawing the consistency certification regarding the above matter. The Department has, therefore, terminated its review of your consistency certification for this proposal. This action on the part of the Department of State is not and should not be construed as or presumed to be a consistency decision by this Department pursuant to 15 CFR Parts 930.62 or 930.63.

When you re-submit a new consistency certification for this proposal, a copy of the federal application for authorization and a new Federal Consistency Assessment Form and certification should be provided to the U.S. Nuclear Regulatory Commission and the Department of State at the same time. Our review of the proposed operating license renewal and the consistency certification submitted for it will commence once it is determined that all necessary data and information have been provided, including the Supplementary Environmental Impact Statement expected in August, 2007.

If you have any questions regarding this matter, please contact me at (518) 474-5268 or email at akasius@dos.state.ny.us.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Kasius".

Andrew Kasius
Coastal Energy Facilities Specialist
Consistency Review Unit

cc: Alyse Peterson, NYSERDA