



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

September 16, 2011

The Honorable Nita M. Lowey
United States House of Representatives
Washington, DC 20515

Dear Congresswoman Lowey,

I am responding to your letter of August 15, 2011, sent to Chairman Jaczko of the U.S. Nuclear Regulatory Commission (NRC or Commission), in which you raised several concerns related to license renewal for Indian Point Nuclear Generating Units 2 and 3 (IP2 and IP3).

Due to the fact that relicensing for the Indian Point plants is currently the subject of adjudication before an NRC Atomic Safety and Licensing Board, I must advise that under agency regulations, the Commission has an appellate role in the adjudicatory proceeding. Because of that role, I trust that you will understand that Chairman Jaczko and the other Commissioners must remain impartial during the pendency of a case, whether it is before a Licensing Board or on appeal to the Commission. I am therefore referring your letter to the NRC staff for response.

A copy of your letter and this response, as well as a response by the NRC staff, when issued, will be served on the participants in the Indian Point proceeding.

Sincerely,

Annette L. Vietti-Cook
Secretary of the Commission

cc: Indian Point Service List