



OFFICE OF THE
GENERAL COUNSEL

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

December 3, 2010

Lawrence G. McDade, Chair
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Mail Stop: T-3 F23
Washington, D.C. 20555

Dr. Kaye D. Lathrop
Administrative Judge
Atomic Safety and Licensing Board
190 Cedar Lane E.
Ridgway, CO 81432

Dr. Richard E. Wardwell
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Mail Stop: T-3 F23
Washington, D.C. 20555

In the Matter of
ENTERGY NUCLEAR OPERATIONS, INC.
(Indian Point Nuclear Generating Unit Nos. 2 and 3)
Docket Nos. 50-247-LR/286-LR

Dear Administrative Judges:

The NRC Staff has now issued Supplement 38 to the "Generic Environmental Impact Statement for License Renewal of Nuclear Plants," NUREG-1437, the site-specific Final Supplemental Environmental Impact Statement (SEIS) concerning the license renewal application for Indian Point Nuclear Generating Unit Nos. 2 and 3.

Enclosed please find a copy of a letter from David J. Wrona (NRC) to Joseph E. Pollock (Entergy Nuclear Operations, Inc.), dated December 3, 2010 (Agencywide Documents Access & Management System (ADAMS) Accession No. ML103260093); the letter provides notice of the availability of the Final SEIS and attaches a copy of the Notice that will be published shortly in the *Federal Register*. The Final SEIS is accessible on the NRC's public website at: <http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1437/supplement38/>.

The Final SEIS is comprised of three volumes: Volume 1 contains the Main Report (Chapters 1–9) and Comment Responses (Appendix A, pages A-1 through page A-174); Volume 2 contains a portion of the Public Comments received by the Staff (Appendix A, pages A-175 through A-1043); Volume 3 contains the remainder of the Public Comments (Appendix A, pages A-1044 through A-1316), as well as Appendices B through I. These documents may also be

Judge McDade
Judge Lathrop
Judge Wardwell

- 2 -

December 3, 2010

viewed and accessed in ADAMS, as follows:

Volume 1: ML103350405

Volume 2: ML103350438, ML103360209, ML103360212

Volume 3: ML103350442

For your convenience, enclosed herewith is a compact disc (CD) containing a copy of the Final SEIS. Printed copies of the Final SEIS are being prepared, and will be provided to the Atomic Safety and Licensing Board, the parties and other participants in this proceeding when they become available, which is expected to occur during the week of December 13, 2010.

Sincerely,



Sherwin E. Turk
Counsel for NRC Staff

Enclosure: As stated

cc w/Encl: Service List



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

December 3, 2010

Mr. Joseph E. Pollock
Vice President, Operations
Entergy Nuclear Operations, Inc.
Indian Point Energy Center
450 Broadway, GSB
P.O. Box 249
Buchanan, NY 10511-0249

SUBJECT: NOTICE OF AVAILABILITY OF THE FINAL PLANT-SPECIFIC SUPPLEMENT 38 TO THE GENERIC ENVIRONMENTAL IMPACT STATEMENT FOR LICENSE RENEWAL OF NUCLEAR PLANTS REGARDING INDIAN POINT NUCLEAR GENERATING UNIT NOS. 2 AND 3, (TAC NO. MD5411 AND MD5412)

Dear Mr. Pollock:

The U.S. Nuclear Regulatory Commission (NRC) staff has completed the final plant-specific Supplement 38 to NUREG-1437, "Generic Environmental Impact Statement for License Renewal of Nuclear Plants" (GEIS), regarding the renewal of Operating License DPR-26 and DPR-64 for an additional 20 years of operation for the Indian Point Nuclear Generating Unit Nos. 2 and 3. Enclosed is a copy of the final supplement and the associated *Federal Register* Notice of Availability. This notice advises the public that the final supplement is publicly available at the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>. The accession numbers for the final Supplement 38 to the GEIS are ML103350405 (Volume 1), ML103350438, ML103360209, ML103360212 (Volume 2), and ML103350442 (Volume 3). In addition, the White Plains Public Library (White Plains, NY), Hendrick Hudson Free Library (Montrose, NY), and the Field Library (Peekskill, NY), have agreed to make the final supplement available for public inspection.

As discussed in Section 9.3 of the final supplement, the staff determined that the adverse environmental impacts of license renewal for Indian Point Units 2 and 3 are not so great that preserving the option of license renewal for energy-planning decisionmakers would be unreasonable. This recommendation is based on: (1) the analysis and findings in the GEIS; (2) information provided in the environmental report and other documents submitted by Entergy Nuclear Operations, Inc.; (3) consultation with Federal, State, local, and Tribal agencies; (4) the staff's own independent review; and (5) consideration of public comments received during the scoping process and on the draft Supplemental Environmental Impact Statement.

J. Pollock

- 2 -

A separate Notice of Availability of the final supplemental environmental impact statement will be placed in the *Federal Register* through the U.S. Environmental Protection Agency. If you have any questions regarding this matter, please contact the NRC License Renewal Project Manager, Mr. Andrew Stuyvenberg at 301-415-4006 or by e-mail at andrew.stuyvenberg@nrc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "D. J. Wrona", with a stylized flourish at the end.

David J. Wrona, Chief
Projects Branch 2
Division of License Renewal
Office of Nuclear Reactor Regulation

Docket Nos. 50-247 and 50-286

Enclosures:
As stated

cc w/ encls: Distribution via Listserv

Letter to J. Pollock from D. Wrona dated December 3, 2010

SUBJECT: NOTICE OF AVAILABILITY OF THE FINAL PLANT-SPECIFIC SUPPLEMENT
38 TO THE GENERIC ENVIRONMENTAL IMPACT STATEMENT FOR
LICENSE RENEWAL OF NUCLEAR PLANTS REGARDING INDIAN POINT
ENERGY CENTER (TAC NO. MD5411 AND MD5412)

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Region II

UNITED STATES NUCLEAR REGULATORY COMMISSION
ENTERGY NUCLEAR OPERATIONS, INC.
INDIAN POINT NUCLEAR GENERATING UNIT NOS. 2 AND 3
DOCKET NO. 50-247 and 50-286

NOTICE OF AVAILABILITY OF THE FINAL SUPPLEMENT 38 TO THE GENERIC
ENVIRONMENTAL IMPACT STATEMENT FOR LICENSE RENEWAL OF NUCLEAR PLANTS
REGARDING THE LICENSE RENEWAL OF INDIAN POINT NUCLEAR GENERATING UNIT
NOS. 2 AND 3
[NRC-2010-0041]

Notice is hereby given that the U.S. Nuclear Regulatory Commission (NRC) has published a final plant-specific supplement to the *Generic Environmental Impact Statement for License Renewal of Nuclear Plants* (GEIS), NUREG-1437, regarding the renewal of Operating Licenses DPR-26 and DPR-64 for an additional 20 years of operation for Indian Point Nuclear Generating Unit Nos. 2 and 3 (IP2 and IP3). The IP2 and IP3 site is located approximately 24 miles north of New York, NY. Possible alternatives to the proposed action (license renewal) include no action and reasonable alternative energy sources.

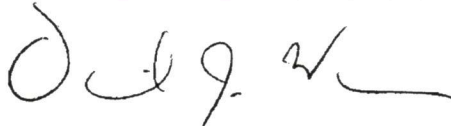
As discussed in Section 9.3 of the final supplement, the staff determined that the adverse environmental impacts of license renewal for IP2 and IP3 are not so great that preserving the option of license renewal for energy-planning decisionmakers would be unreasonable. This recommendation is based on: (1) the analysis and findings in the GEIS; (2) information provided in the environmental report and other documents submitted by Entergy Nuclear Operations, Inc.; (3) consultation with Federal, State, local, and tribal agencies; (4) the staff's own independent review; and (5) consideration of public comments received during the scoping process and on the draft Supplemental Environmental Impact Statement.

The final Supplement 38 to the GEIS is publicly available at the NRC Public Document Room (PDR), located at One White Flint North, Public File Area O-1F21, 11555 Rockville Pike, Rockville, Maryland 20852, or from the NRC's Agencywide Documents Access and Management System (ADAMS). The ADAMS Public Electronic Reading Room is accessible at <http://www.nrc.gov/reading-rm/adams.html>. The accession numbers for the final Supplement 38 to the GEIS are ML103350405 (Volume 1), ML103350438, ML103360209, ML103360212 (Volume 2), and ML103350442 (Volume 3). Persons who do not have access to ADAMS or who encounter problems while accessing the documents located in ADAMS, should contact the NRC's PDR reference staff by telephone at (800) 397-4209 or (301) 415-4737, or by e-mail at pdr.resource@nrc.gov. In addition, the White Plains Public Library (White Plains, NY), Hendrick Hudson Free Library (Montrose, NY), and the Field Library (Peekskill, NY), have all agreed to make the final supplement available for public inspection.

FOR FURTHER INFORMATION, CONTACT: Mr. Andrew Stuyvenberg, Projects Branch 2, Division of License Renewal, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Mail Stop O-11F1, Washington, DC 20555-0001. Mr. Stuyvenberg may be contacted by telephone at (800) 368-5642, extension 4006, or by e-mail at andrew.stuyvenberg@nrc.gov

Dated at Rockville, Maryland, this 3rd day of December, 2010.

FOR THE NUCLEAR REGULATORY COMMISSION



David J. Wrona, Chief
Projects Branch 2
Division of License Renewal
Office of Nuclear Reactor Regulation