

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
ENTERGY NUCLEAR OPERATIONS, INC.	)	Docket Nos. 50-003-LT-3
	)	50-247-LT-3
	)	50-286-LT-3
(Indian Point Nuclear Generating Station,	)	72-51-LT-2
Units 1, 2, and 3 and ISFSI	)	

**ORDER**

The U.S. Nuclear Regulatory Commission (NRC) received an application filed by Entergy Nuclear Operations, Inc., on behalf of itself, Entergy Nuclear Indian Point 2, LLC, Entergy Nuclear Indian Point 3, LLC, Holtec International, and Holtec Decommissioning International, LLC (collectively, the applicants), on November 21, 2019. The application seeks NRC approval of the transfer of control of Provisional Operating License No. DPR-5 and Renewed Facility Operating License Nos. DPR-26 and DPR-64 for Indian Point Nuclear Generating Station, Unit Nos. 1, 2, and 3, respectively, as well as the general license for the on site Independent Spent Fuel Storage Installation.

By *Federal Register* notice (FRN) dated January 23, 2020, the NRC provided an opportunity to request a hearing and petition for leave to intervene with respect to the license transfer action.<sup>1</sup> The FRN stated that requests for a hearing must be filed by February 12, 2020, and that such requests must be filed in accordance with the Commission's "Agency Rules of Practice and Procedure" in Title 10, U.S. Code of Federal Regulations (C.F.R.), Part 2, which, among other things, requires hearing requests to provide specific contentions challenging the application.

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<sup>1</sup> Indian Point Nuclear Generating Unit Nos. 1, 2, and 3, 85 Fed. Reg. 3947 (January 23, 2020).

Between February 17, 2020, and February 24, 2020, the NRC received twelve emails, listed in the following table, requesting an adjudicatory hearing on this matter.

Name	Date Received
Paul Corell	February 17, 2020
Alice Slater	February 17, 2020
Julie Woodward	February 17, 2020
Nivo Rovedo	February 17, 2020
Judy Allen	February 17, 2020
Alex Stavits	February 17, 2020
Andy Stein	February 19, 2020
John H. Reynolds	February 19, 2020
Donna Knipp	February 19, 2020
Nydia Leaf, <i>et al.</i> New York City Granny Peace Brigade	February 20, 2020
Dr. Susan Spieler	February 20, 2020
Sheila Geist	February 24, 2020

The above listed requests were not filed prior to the February 12, 2020, deadline and do not advance specific contentions challenging the license transfer application. Nor do these requests provide justification for their lack of timeliness. Pursuant to my authority under 10 C.F.R. § 2.346(c), (h), and (j), these requests for an adjudicatory hearing are DENIED. These email messages will be added to the docket as comments received and will be considered, as appropriate, in that context. Other requests not listed herein that have been filed in conformance with the instructions in the FRN will be considered in accordance with the agency's procedures.

IT IS SO ORDERED.

For the Commission

**NRC SEAL**

**/RA/**

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Annette L. Vietti-Cook  
Secretary of the Commission

Dated at Rockville, Maryland,  
this 5<sup>th</sup> day of March, 2020

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (Denying Improper Requests for Adjudicatory Hearing)** have been served upon the following persons by Electronic Information Exchange or via Electronic Mail, as indicated by an asterisk.

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Indian Point Nuclear Generating Station  
Docket Nos. 50-003-LT-3, 50-247-LT-3, 50-286-LT-3 and 72-51-LT-2  
**ORDER (Denying Improper Requests for Adjudicatory Hearing)**

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Dated at Rockville, Maryland  
this 5<sup>th</sup> day of March, 2020.

[Original signed by Herald M. Speiser ]  
Office of the Secretary of the Commission