



NYSERDA

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Chair

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Acting President and CEO

November 12, 2020

Rich Guzman, Senior Project Manager
Division of Operator Reactor Licensing
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
One White Flint North, 0-9C7
11555 Rockville Pike
Rockville, MD 20852-2738

Subject: Indian Point Energy Center License Transfer Application

Dear Mr. Guzman:

The State of New York has received the Entergy Nuclear Operations November 21, 2019 license transfer application (and its supplements) requesting transfer of the NRC licenses for Indian Point Nuclear Generating Station Units 1, 2 and 3 and spent fuel storage installation (collectively known as the Indian Point Energy Center or IPEC) to Holtec International and its subsidiaries.

The State of New York filed a request for a hearing and petition to intervene challenging the proposed IPEC license transfer on February 12, 2020 (ADAMS Accession No. ML20043E118). That request is currently pending before the Commission along with requests for hearing filed by Riverkeeper, Inc. (ADAMS Accession No. ML20043F530); Safe Energy Rights Group, Inc. (ADAMS Accession No. ML20042C984); and Town of Cortlandt, Village of Buchanan, and Hendrick Hudson School District (ADAMS Accession No. ML20043F054).

The State incorporates by reference the arguments made in its petition, which the Commission has yet to address. The State strongly objects to the issuance of an NRC Staff determination on the IPEC license transfer application prior to a Commission ruling in the pending requests for hearing. The NRC should

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not grant the license transfer, or related regulatory exemptions, until the issues raised in the petitions are adjudicated or the petitions are denied. To do so deprives the State and the public of any meaningful input in the proceeding. Substantively, the State does not believe that the license transfer application as drafted may be granted without the imposition of additional financial assurance, which is provided for in NRC regulation for purposes precisely like this one. To grant the application without adequate financial safeguards puts the successful completion of the Indian Point decommissioning project in jeopardy.

If you have any questions or concerns, you may contact me at (518) 862-1090 x3274.

Sincerely,

A handwritten signature in cursive script that reads "Alyse Peterson".

Alyse Peterson, P.E.
Senior Advisor