

June 9, 2000

The Honorable Charles E. Schumer
United States Senate
Washington, D.C. 20510

Dear Senator Schumer:

I am responding to your letter of April 27, 2000, in which you raised issues concerning New York Power Authority's plans to store spent nuclear fuel in dry casks at the James A. FitzPatrick nuclear plant. As requested, Mr. William F. Kane, Director of the NRC Office of Nuclear Material Safety and Safeguards, and Mr. Samuel J. Collins, Director of the NRC Office of Nuclear Reactor Regulation, met with you and members of the Oswego County Legislature on May 4, 2000, to discuss your concerns and those of local residents about storage of spent fuel at the FitzPatrick site. I hope that you and the Oswego County officials found the meeting productive and informative. As discussed in that meeting, the NRC is not aware of any plans for spent fuel generated at sites outside of Oswego County to be stored at the proposed FitzPatrick independent spent fuel storage installation.

Under separate cover, Mr. Kane has provided additional detailed information on the NRC's regulatory program regarding spent fuel storage to Mr. John Proud, majority leader of the Oswego County Legislature, and Mr. James McMahon, minority leader. Mr. Kane noted in his letters that NRC would be pleased to meet further with the Oswego County representatives in Oswego if they have additional questions.

As you know, the NRC received a request for the Transfer of Facility Operating License and Proposed License Amendment from New York Power Authority (Authority) on May 11, 2000. That letter requests transfer of the James A. FitzPatrick Nuclear Power Plant Facility Operating License from the Authority to Entergy Nuclear FitzPatrick, LLC and Entergy Nuclear Operations, Inc. The NRC staff will thoroughly evaluate financial and technical qualifications of the proposed licensee in its consideration of the proposed license transfer.

In the meantime, if you have any further questions, please contact me.

Sincerely,

/RA/

Richard A. Meserve