



NRC NEWS

**U.S. NUCLEAR REGULATORY COMMISSION
OFFICE OF PUBLIC AFFAIRS, REGION I**

475 Allendale Road
King of Prussia, PA 19406

No. I-01-013

March 6, 2001

CONTACT: Diane Screnci, (610) 337-5330/e-mail: dps@nrc.gov
Neil A. Sheehan, (610) 337-5331/e-mail: nas@nrc.gov

ORAL HEARING TO BE HELD MARCH 13 ON FITZPATRICK/INDIAN POINT 3 PETITION

A Nuclear Regulatory Commission administrative judge will preside over a hearing on Tuesday, March 13, in White Plains, N.Y., on issues raised in a petition opposing the transfer of the operating licenses for the James A. FitzPatrick and Indian Point 3 nuclear power plants.

The hearing will take place from 9:30 a.m. to 6 p.m. in the auditorium of the White Plains Public Library, at 100 Martine Ave. If necessary, the hearing will continue in the same location from 9:30 a.m. to noon on Wednesday, March 14.

Indian Point 3 is located in Buchanan, N.Y., about 24 miles north of New York City. The James A. FitzPatrick plant is located in the town of Scriba, N.Y.

After reaching an agreement for the purchase of both plants from the New York Power Authority, subsidiaries of Entergy Corporation submitted applications to the NRC last May requesting approval of the license transfers. The Commission subsequently received requests from several interested petitioners seeking a hearing on the applications.

On November 13, the NRC staff announced it had approved the license transfers after considering such key issues as the prospective owners' technical and financial qualifications to operate the plant, as well as decommissioning funding assurance. The staff noted at the time that if the Commission decided to grant a hearing and ruled in favor of the petitioners, it could rescind the approvals or modify their terms.

The Commission granted the Citizens Awareness Network's request for a hearing on November 27 and granted the request of Westchester County, N.Y., to participate. Other parties who were authorized to participate subsequently withdrew.

An NRC Atomic Safety and Licensing Board administrative judge was chosen to preside over the proceeding, including the March 13th session. That judge, Charles Bechhoefer, will consider the following issues raised by the petitioners: Whether the prospective plant owners' plan for handling decommissioning funds for the plants provides reasonable assurance of adequate funding, as required

by NRC regulations; and whether the license transfer applications provide adequate financial assurance for the safe operation of the plants.

A final decision on the petition will be rendered by the Commission.

###