



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

June 26, 2012

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 DRAFT SUPPLEMENT TO 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 NOS. MD5411 AND MD5412)

Dear Sir or Madam:

The U.S. Nuclear Regulatory Commission (NRC) staff has completed a draft supplement to 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 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). Enclosed is a copy of the draft supplement and the associated *Federal Register* Notice of Availability. This notice advises the public that the draft supplement is publicly available at the NRC Public Document Room (PDR) 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 Number for the draft supplement to Supplement 38 to the GEIS is ML12174A244. 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 draft supplement available for public inspection.

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A separate Notice of Availability of the draft supplement to Supplement 38 to NUREG-1437 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 Environmental Project Manager, Mr. Michael Wentzel, at 301-415-6459 or by e-mail at Michael.Wentzel@nrc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. J. Wrona', followed by a horizontal flourish.

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: Listserv

[7590-01-P]

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-247 and 50-286; NRC-2008-0672]

**Draft Supplement to Supplement 38 to the Generic Environmental Impact Statement for
License Renewal of Nuclear Plants**

Entergy Nuclear Operations, Inc.

AGENCY: Nuclear Regulatory Commission.

ACTION: Draft Supplement to Supplement 38 to the Generic Environmental Impact Statement for License Renewal of Nuclear Plants; availability.

SUMMARY: Notice is hereby given that the U.S. Nuclear Regulatory Commission (NRC, Commission) has published a draft supplement to Supplement 38 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). IP2 and IP3 are located in Westchester County in the Village of Buchanan, New York, approximately 24 miles north of New York City.

DATES: Any interested party may submit comments on the draft supplement to Supplement 38 to the GEIS, for consideration by the NRC staff. To be considered, comments on the draft supplement to Supplement 38 to the GEIS and the proposed action must be received by August 20, 2012. The NRC staff is able to ensure consideration only for comments received on

or before this date.

ADDRESSES: You may access information and comment submissions related to this document by searching on <http://www.regulations.gov> under Docket ID **NRC-2008-0672**. You may submit comments by the following methods:

- **Federal Rulemaking Web site:** Go to <http://www.regulations.gov> and search for Docket ID **NRC-2008-0672**. Address questions about NRC dockets to Carol Gallagher; telephone: 301-492-3668; e-mail: Carol.Gallagher@nrc.gov.

- **Mail comments to:** Cindy Bladey, Chief, Rules, Announcements, and Directives Branch (RADB), Office of Administration, Mail Stop: TWB-05-B01M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

- **Fax comments to:** RADB at 301-492-3446.

For additional direction on accessing information and submitting comments, see "Accessing Information and Submitting Comments" in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Mr. Michael Wentzel, Division of License Renewal, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Mail Stop O-11F1, Washington, DC 20555-0001. Mr. Wentzel may also be contacted by telephone at 301-415-6459 or by e-mail at Michael.Wentzel@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Background

The U.S. Nuclear Regulatory Commission (NRC or Commission) received an application, by letter dated April 23, 2007, from Entergy Nuclear Operations, Inc. (Entergy), to

renew the operating licenses for IP2 and IP3 for an additional 20 years. In support of the application and in accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) Part 51 and 10 CFR Part 54, Entergy also submitted an environmental report for IP2 and IP3. In December 2010, the U.S. Nuclear Regulatory Commission (NRC or the staff) issued its final plant-specific Supplement 38 to NUREG-1437, "Generic Environmental Impact Statement for License Renewal of Nuclear Plants (GEIS)" (final SEIS), regarding the renewal of operating licenses DPR-26 and DPR-64 for an additional 20 years of operation for IP2 and IP3.

Pursuant to 10 CFR 51.92(a)(2), if a proposed action has not been taken, the NRC is to prepare a supplement to a final environmental impact statement (EIS) for which a notice of availability has been published in the Federal Register as provided in § 51.118, if there are new and significant circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts. In addition, pursuant to 10 CFR 51.92(c), the NRC may prepare a supplement to a final EIS when, in the opinion, preparation of a supplement will further the purpose of the National Environmental Policy Act of 1969 (NEPA).

Subsequent to the issuance of the final SEIS, the NRC identified certain new information regarding aquatic impacts that necessitated changes to the staff's findings in the final SEIS. Therefore, the NRC has prepared a draft supplement to Supplement 38 to the Generic Environmental Impact Statement for License Renewal of Nuclear Plants.

II. Accessing Information and Submitting Comments

A. Accessing Information

Please refer to Docket ID **NRC-2008-0672** when contacting the NRC about the availability of information regarding this document. You may access information related to this document by the following methods:

- **Federal Rulemaking Web Site:** Go to <http://www.regulations.gov> and search for Docket ID **NRC-2008-0672**.

- **NRC's Agencywide Documents Access and Management System (ADAMS):**

You may access publicly-available documents online in the NRC Library at

<http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "ADAMS Public Documents" and then select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to pdr.resource@nrc.gov. The ADAMS accession number for each document referenced in this notice (if that document is available in ADAMS) is provided the first time that a document is referenced. The Accession Number for draft supplement to Supplement 38 to the GEIS is ML12174A244.

- **NRC's PDR:** You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

- **NRC's Webpage:** Documents related to this notice are available on the NRC's Plant Application for License Renewal Web site at <http://www.nrc.gov/reactors/operating/licensing/renewal/applications/indian-point.html>. The draft supplement to Supplement 38 for the IP2 and IP3 license renewal application may also be accessed on the internet at <http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1437/> by selecting "Supplement 38."

- **Local Library:** A copy of the draft supplement to Supplement 38 to the GEIS will be available to local residents near the site at the White Plains Public Library located at 100 Martine Avenue, White Plains, NY 10601, at the Hendrick Hudson Free Library located at 185 Kings Ferry Road, Montrose, NY 10548, and at the Field Library located at 4 Neslon Avenue, Peekskill, NY 10566.

B. Submitting Comments

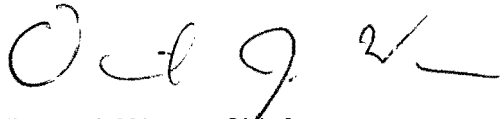
Please include Docket ID **NRC-2008-0672** in the subject line of your comment submission, in order to ensure that the NRC is able to make your comment submission available to the public in this docket.

The NRC cautions you not to include identifying or contact information in comment submissions that you do not want to be publicly disclosed. The NRC posts all comment submissions at <http://www.regulations.gov> as well as entering the comment submissions into ADAMS, and the NRC does not edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information in their comment submissions that they do not want to be publicly disclosed. Your request should state that the NRC will not edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment submissions into ADAMS.

Dated at Rockville, Maryland, this 26th day of June 2012.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in black ink, appearing to read "D. J. Wrona", with a checkmark to the right.

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

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Sincerely,

/RA/

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: Listserv

DISTRIBUTION: See next page

ADAMS Accession Nos.:

1. Letter: **ML12101A345**

2. FRN: **ML12101A273**

3. Draft Supplement to "Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 38": **ML12174A244**

4. Pkg: **ML12101A368**

*concurring via e-mail

OFFICE	LA:DLR:RPB2*	PM:DLR:RPB2	OGC (NLO)	BC:DLR:RPB2
NAME	IKing	MWentzel	STurk	DWrona
DATE	4/16/12	6/5/12	6/20/12	6/26/12

OFFICIAL RECORD COPY

Letter to First. M. Last from First M. Last dated June 26, 2012

SUBJECT: NOTICE OF AVAILABILITY OF THE DRAFT SUPPLEMENT TO 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 NOS. MD5411 AND MD5412)

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