

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.¹ 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.

¹ 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 Stavis	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/

Annette L. Vietti-Cook
Secretary of the Commission

Dated at Rockville, Maryland,
this 5th day of March, 2020

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))	

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.

U.S. Nuclear Regulatory Commission
Office of Commission Appellate Adjudication
Mail Stop: O-16B33
Washington, DC 20555-0001
ocaamail.resource@nrc.gov

U.S. Nuclear Regulatory Commission
Office of the Secretary of the Commission
Mail Stop: O-16B33
Washington, DC 20555-0001
hearingdocket@nrc.gov

U.S. Nuclear Regulatory Commission
Office of the General Counsel
Mail Stop O-14A44
Washington, DC 20555-0001
Tison Campbell, Esq.
Anita Ghosh Naber, Esq.
David Roth, Esq.
Jeremy Wachutka, Esq.
Mary Woods, Esq.
Brian Newell, Paralegal
tison.campbell@nrc.gov
anita.ghoshnaber@nrc.gov
david.roth@nrc.gov
jeremy.wachutka@nrc.gov
mary.woods@nrc.gov
brian.newell@nrc.gov

Susan Raimo, Esq.
Entergy Services, LLC
101 Constitution Ave., NW
Suite 200 East
Washington, DC 20001
sraimo@entergy.com

Counsel for Entergy Services, LLC
Paul M. Bessette, Esq.
Scott D. Clausen, Esq.
Ryan K. Lighty, Esq.
Morgan, Lewis & Bockius LLP
1111 Pennsylvania Avenue, NW
Washington, DC 20004
paul.bessette@morganlewis.com
scott.clausen@morganlewis.com
ryan.lighty@morganlewis.com

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)

Counsel for Holtec International
Alan D. Lovett, Esq.
Nick Theodore, Esq.
Balch & Bingham LLP
1710 Sixth Avenue North
Birmingham, AL 35203-2015
alovett@balch.com
ntheodore@balch.com

New York State Office of the Attorney General
The Capitol
Albany, New York 12224-0341
Joshua Tallent, Esq.
Lisa M. Burianek, Esq.
Janice dean, Esq.
Andrea Catalfamo, Administrative Specialist
joshua.tallent@ag.ny.gov
lisa.burianek@ag.ny.gov
andrea.catalfamo@ag.ny.gov
janice.dean@nyserda.ny.gov

Counsel for Town of Cortlandt, Village of
Buchanan and Hendrick Hudson School District
Dane Warren, Esq.
Sive, Paget, Riesel
560 Lexington Avenue
New York, NY 10022
dwarren@sprlaw.com

Counsel for Riverkeeper, Inc.
Todd Ommen, Esq.
Pace Environmental Litigation Clinic, Inc.
78 North Broadway
White Plains, NY 10603
tommen@law.pace.edu

New York State Sen. Pete Harckham
1 Park Street
Peekskill, NY 10566
Tito A Davila, Community Liaison
titosd40@gmail.com

Safe Energy Rights Group, Inc.
9 McGuire Ave
Peekskill, NY 10566
Curtney M. Williams, PhD
mazafratz@yahoo.com

Safe Energy Rights Group, Inc.
201 Union Avenue
Peekskill, NY 10566
Nancy S. Vann
nancy_vann@hotmail.com

Private Citizen
6 Mancuso Drive
Ossining, NY 10562
Henry S. Kelly
hankk9468d@yahoo.com

Paul Corell*
paulmcorell@gmail.com
Alice Slater*
alicejslater@gmail.com
Julie Woodward*
juliwoo@optonline.net
Nivo Rovedo*
rovedonivo@optimum.net
Judy Allen*
judya814@comcast.net
Alex Stavis*
ams64@juno.com
Andy Stein*
andysteinmusic@gmail.com
John H. Reynolds*
johnrey2018@outlook.com
Donna Knipp*
knipp.donna@gmail.com
Nydia Leaf, et al*
New York City Granny Peace Brigade
nyleaf13@gmail.com
Dr. Susan Spieler*
love.our.only.planet@gmail.com
Sheila Geist*
sheilaq100@gmail.com

Dated at Rockville, Maryland
this 5th day of March, 2020.

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