

**NRC RESPONSE  
TO LETTERS REGARDING  
A PROPOSED INDEPENDENT SPENT FUEL STORAGE INSTALLATION  
AT INDIAN POINT**

**INTRODUCTION**

In a letter dated December 29, 2003, Entergy Nuclear Operations, Inc. notified the NRC of its intent to store spent nuclear fuel in dry casks on the Indian Point site in an Independent Spent Fuel Storage Installation (ISFSI) under the general license provisions of 10 CFR Part 72. NRC has received a large number of letters requesting a formal adjudicatory hearing on the planned ISFSI at Indian Point.

**RESPONSE**

The dry cask storage design that Entergy plans to use at Indian Point has been reviewed and approved by the NRC. In accordance with the Nuclear Waste Policy Act of 1982, NRC approves spent fuel cask designs through a rulemaking process. The rulemaking process includes an opportunity for public review and comment. NRC's approval of a cask design is provided in a Certificate of Compliance. Entergy, as a general licensee, will be required to perform evaluations to ensure that the use of the specific dry cask storage system is bounded by the Certificate of Compliance and the existing license requirements for Indian Point. Entergy's evaluations will be subject to NRC inspection. Furthermore, NRC will perform inspections during construction, pre-operational testing, and operational activities to ensure that all safety requirements are met for operation of an ISFSI at Indian Point.

We understand that residents and local elected officials have questions and concerns regarding the planned ISFSI at Indian Point. During our Annual Assessment meeting with Entergy on April 27, 2004, we plan to provide an overview of the NRC's licensing and oversight of dry cask storage systems and ISFSI. Subsequent to the April 27, 2004 meeting, we plan to hold a separate public meeting in the vicinity of Indian Point to discuss the NRC's role in the Part 72 general licensing process, dry cask storage system technical reviews, and inspection of ISFSI activities. The intent of this meeting is to inform the public about the NRC's oversight, including a discussion of the technical requirements for dry cask storage, and the nature of site specific assessments to be completed by Entergy to demonstrate the dry cask storage system meets all requirements. We will also provide information regarding actions taken and in progress to ensure the security of spent fuel storage. Consistent with NRC regulations, a formal adjudicatory hearing is not called for; however, the planned public meeting will provide an opportunity for members of the public to ask questions and provide comments regarding the planned ISFSI at Indian Point.