



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

ANDREW M. CUOMO
GOVERNOR

JIM MALATRAS
DIRECTOR OF STATE OPERATIONS

November 16, 2015

Stephen G. Burns, Chairman
Kristine L. Svinicki, Commissioner
William C. Ostendorff, Commissioner
Jeff Baran, Commissioner
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Commissioners:

As the Administrative Law Judges (ALJ) of the Atomic Safety and Licensing Board commence this week's evidentiary hearing, we write to again voice the Governor's strong opposition to the application of Entergy Nuclear Operations Inc. (Entergy) for relicensing the Indian Point Nuclear Facilities. Indian Point's proximity to a major population center in New York City and surrounding areas — with more than 20 million people within 50 miles of the plant — makes it absolutely impossible to have an effective safety and evacuation plan. Given the deterioration of this aging plant, it should not be permitted to operate for another twenty years. To be blunt, Entergy's aging management plan is woefully inadequate and the Nuclear Regulatory Commission (NRC) should deny Entergy's relicensing application on that basis alone.

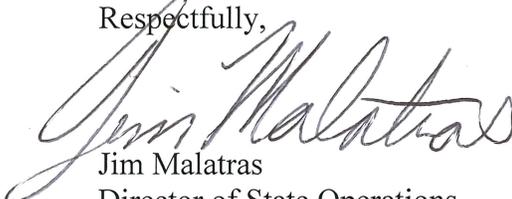
Indian Point Nuclear Facilities are two of the only nuclear facilities operating in close proximity to one of the most densely populated places on the planet. No plan to manage the age-related defects at these facilities can adequately protect the millions of New Yorkers living nearby. Embrittled reactor pressure vessels and fatigued metals on key reactor components — only some of the issues the ALJs will hear about this week — are symptoms of an aging plant for which Entergy's plans and past performance fall far short. Recently, unplanned shutdowns at the facility, for reasons ranging from transformer fires to unplanned replacement of parts in the reactor head, have plagued the plant. Entergy's proposed inspection and monitoring will not solve the serious concerns particular to this problematic plant. Allowing Entergy to operate these facilities for another 20 years puts the lives of too many New Yorkers at risk and cannot be justified by Entergy's present plan to address these defects.

As Governor Cuomo has said on numerous occasions, Entergy does not have, and cannot develop, a safety and evacuation plan for dealing with a major disaster so close to the City of New York. The NRC should not permit that risk to persist for future generations.

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Furthermore, as New Yorkers know all too well, the growth of significant national security risks from internal and external forces makes the continued operation of this plant for another 20 years irresponsible. The NRC should, on an expedited basis, deny Entergy's application for relicensing of the Indian Point Facilities for the foregoing reasons and for all of those reasons set forth in the contentions of the State of New York.

Respectfully,



Jim Malatras
Director of State Operations