

Elise N. Zoli
617.570.1612
ezoli@
goodwinprocter.com

Goodwin Procter LLP
Counselors at Law
Exchange Place
Boston, MA 02109
T: 617.570.1000
F: 617.523.1231

April 29, 2010

VIA FEDEX

William R. Adriance
Chief Permit Administrator
New York State Department of Environmental Conservation
Division of Environmental Permits, 4th Floor
625 Broadway
Albany, NY 12233-1750

Re: Request for Adjudicatory Hearing on NYSDEC Staff's April 2, 2010 Notice of Denial of Joint Application for CWA Section 401 Water Quality Certification, NRC License Renewal -- Entergy Nuclear Indian Point Units 2 and 3

Dear Mr. Adriance:

On behalf of Entergy Nuclear Indian Point 2, LLC, Entergy Nuclear Indian Point 3, LLC and Entergy Nuclear Operations, Inc. (collectively, "Entergy"), enclosed please find Entergy's Request for Adjudicatory Hearing on New York State Department of Environmental Conservation ("NYSDEC") Staff's proposed April 2, 2010 Notice of Denial ("Notice") in the above-referenced matter. According to 6 NYCRR §621.10, a request for hearing may be directed either to the Regional Permit Administrator or the Chief Permit Administrator, as instructed by the Department Staff in the notification. NYSDEC Staff's proposed Notice did not specify to whom this request should be directed; therefore, we have provided a copy of this Request for Adjudicatory Hearing to the Regional Permit Administrator as well.

In accordance with 6 NYCRR §621.10, NYSDEC must commence the hearing within forty-five (45) days of receipt of this request. Entergy respectfully requests that the hearing commence in a prompt manner, consistent with NYSDEC's regulations. With respect to its assignment of Administrative Law Judge(s) ("ALJs"), please be advised that the Notice addresses substantive issues and facts that are currently the subject of a related pending adjudication before ALJs Villa and O'Connell (which commenced in 2003). To that end, and in an effort to advance NYSDEC's ability to meet its scheduling obligations under §621.10, we respectfully advise your office of ALJs Villa and O'Connell's substantive knowledge on relevant issues in that related matter, and their familiarity with material facts that underpin this proceeding.

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Thank you for your prompt attention to this matter. As always, should you have any questions or concerns about this submission, please do not hesitate to contact me.

Sincerely,

Elise N. Zoli

cc: **BY FED EX**

Alec Ciesluk, NYSDEC Regional Permit Administrator, Region 3 (by Fed Ex)

BY FIRST CLASS MAIL

Christopher Hogan, NYSDEC Project Manager
Mark Sanza, Esq., NYSDEC Office of General Counsel
William Little, Esq., NYSDEC Office of General Counsel
Paul Eddy, New York State Department of Public Service
Alyse Peterson, NYSERDA
Andrew L. Stuyvenberg, Nuclear Regulatory Commission
Jeff Zappieri, New York State Department of State

BY E-MAIL

Fred Dacimo, Vice President, Entergy Nuclear, Inc., Indian Point Energy Center
Dara F. Gray, REM, Chemistry Supervisor, Entergy Services, Inc., Indian Point Energy Center
Kelli M. Dowell, Esq., Assistant General Counsel – Environmental, Entergy Services, Inc.
William C. Dennis, Esq. Assistant General Counsel, Entergy Nuclear Operations, Inc.
John C. Englander, Esq.
Robert H. Fitzgerald, Esq.