

New York Supreme Court

Appellate Division – Third Department

In the Matter of the Application of

ENTERGY NUCLEAR INDIAN POINT 2, LLC, and ENTERGY NUCLEAR INDIAN POINT 3, LLC, as respective owners of Indian Point 2 and Indian Point 3, and joint applicants for the Indian Point SPDES permit renewal,

Petitioners-Appellants,

For a judgment pursuant to Article 78 of the Civil Practice Law and Rules,

- against -

THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION and ERIN CROTTY, as Commissioner, New York State Department of Environmental Conservation, MIRANT BOWLINE, LLC, as owner of Bowline Point 1 and 2 and applicant for the Bowline SPDES permit renewal, DYNEGY ROSETON, LLC, as operator of Roseton 1 and 2, and DYNEGY NORTHEAST GENERATION, INC., as applicant for the Roseton SPDES permit renewal, RIVERKEEPER, INC., SCENIC HUDSON, INC., NATURAL RESOURCES DEFENSE COUNCIL INC. and Assemblyman RICHARD BRODSKY in his individual capacity,

Respondents- Respondents.

BRIEF FOR RESPONDENT-INTERVENORS-RESPONDENTS

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Riverkeeper, Inc., Scenic Hudson, Inc. and
Natural Resources Defense Council, Inc.*

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