

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

RAS 11823

ATOMIC SAFETY AND LICENSING BOARD PANEL

DOCKETED 06/21/06

SERVED 06/21/06

Before Administrative Judges:

Ann Marshall Young, Chair
Dr. Richard F. Cole
Nicholas G. Trikouros

In the Matter of:

ENTERGY NUCLEAR GENERATION
COMPANY AND ENTERGY NUCLEAR
OPERATIONS, INC.
(Pilgrim Nuclear Power Station)

Docket No. 50-293-LR

ASLBP No. 06-848-02-LR

June 21, 2006

ORDER and NOTICE
(Regarding Oral Argument and Limited Appearance Statement Sessions)

A telephone conference was held June 20, 2006, to address issues including the rescheduling of oral argument on the petitions for hearing of the Massachusetts Attorney General and Pilgrim Watch, with regard to the application of Entergy Nuclear Generation Company and Entergy Nuclear Operations, Inc. (Entergy) to renew the operating license for its Pilgrim Nuclear Power Station for an additional twenty-year period commencing in 2012.¹ The following matters were addressed at this conference:

1. The request to reschedule made by counsel for the Attorney General was granted, and oral argument on the petitions will be held July 6 and 7, 2006, as further specified below.
2. At the request of the Petitioners and counsel for the Town of Plymouth, which will be participating in the proceeding under 10 C.F.R. § 2.315(c), limited appearance statements by

¹In response to a March 27, 2006, notice of opportunity for hearing on the proposed license renewal, Petitioners Pilgrim Watch and the Massachusetts Attorney General (Massachusetts AG or Attorney General) filed, on May 25 and 26, respectively, requests for hearing and petitions to intervene in accordance with 10 C.F.R. § 2.309. On June 6 the Acting Secretary of the Commission referred the hearing request and intervention petition to the Chief Administrative Judge of the Atomic Safety and Licensing Board Panel for appropriate action in accordance with 10 C.F.R. § 2.346(l), and on June 7 this Licensing Board was established to preside over the proceeding.

persons who are not parties (but including persons who are affiliated with or represented by parties) will be heard by the Board pursuant to 10 C.F.R. § 2.315, on the evening of Thursday, July 6, 2006, from 5:30 to 7:30 p.m. local time at the same location as oral argument. Each speaker will be permitted approximately 5 minutes to state his or her comments. In addition, although signs and posters will not be permitted during oral argument, signs and other displays not larger than 18" square will be permitted during the limited appearance statement public hearing in accordance with the attached statement of security procedures. See 66 Fed. Reg. 31,719 (June 12, 2001).

3. All sessions will be held at the Radisson Plymouth Harbor Hotel, 180 Water Street, in Plymouth, Massachusetts. Oral argument will commence at 9:30 a.m. on July 6, adjourn at 5:00 p.m., and continue from 9:00 a.m. to 3:00 p.m. on July 7 as necessary. The Town of Plymouth may participate in oral argument, but if unable to do so due to the absence of its counsel, may submit written comments on the subjects of the oral argument no later than July 14, 2006. In addition, if any person wishes to file a written limited appearance statement, he or she may do so by e-mailing it to both hearingdocket@nrc.gov and amy@nrc.gov, and/or by sending it by U.S. mail to both of the following addresses:

Office of the Secretary
Attn: Rulemaking and Adjudications Staff
Mail Stop: O-16C1
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge Ann Marshall Young
Atomic Safety and Licensing Board Panel
Mail Stop: T-3F23
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

4. The deadlines for remaining responses and replies regarding the petitions are as follows:

- a. June 22: The NRC Staff and Entergy shall file their responses to the petition of the Attorney General;
- b. June 26: Entergy shall file its response to the petition of Pilgrim Watch;
- c. June 27: Pilgrim Watch shall file its reply to the NRC Staff's June 19 response to its petition;
- d. June 30: The Attorney General shall file its reply/ies to the responses of the NRC Staff and Entergy, and if possible will do this on June 29;
- e. July 3: Pilgrim Watch shall file its reply to Entergy's response.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

Ann Marshall Young, Chair
ADMINISTRATIVE JUDGE

Rockville, Maryland
June 21, 2006²

²Copies of this Order were sent this date by Internet e-mail to all counsel or representatives for participants.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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(Pilgrim Nuclear Power Station))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER AND NOTICE (REGARDING ORAL ARGUMENT AND LIMITED APPEARANCE STATEMENT SESSIONS) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

Office of Commission Appellate
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U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

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Docket No. 50-293-LR
LB ORDER AND NOTICE (REGARDING ORAL ARGUMENT
AND LIMITED APPEARANCE STATEMENT SESSIONS)

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[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 21st day of June 2006