

October 10, 2006

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
 )  
SYSTEM ENERGY RESOURCES, INC. ) Docket No. 52-009-ESP  
 )  
(Early Site Permit for Grand Gulf ESP Site) )

NRC STAFF MOTION FOR AN EXTENSION OF TIME

INTRODUCTION

On October 3, 2006, the Atomic Safety and Licensing Board (“Board”) in this proceeding issued an Order<sup>1</sup> requesting the staff of the Nuclear Regulatory Commission (“NRC”) to answer specified questions and submit a brief with respect to environmental issues relating to the application of System Energy Resources, Inc. (“SERI” or “the Applicant”) for an early site permit at the Grand Gulf ESP site. Pursuant to the Board’s Order (Order, slip op. at 1) and 10 C.F.R. §§ 2.307 and 2.323, and for the reasons set forth below, the NRC staff (“Staff”) respectfully requests an extension of time, from October 16, 2006, until October 23, 2006, to submit the requested answers and brief. As discussed below, the Staff believes such an extension need not delay the schedule for this proceeding, including the prehearing conference set for October 19, 2006.

DISCUSSION

In its Order, the Board directed the Staff to answer 90 questions and submit a brief addressing threshold environmental matters and the environmental findings required of the Board in this proceeding. The Board set October 16, 2006 for the submission of the answers

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<sup>1</sup> “Order” (Issuing Questions Relating to the Grand Gulf ESP Environmental Impact Statement, Requesting Briefing on Environmental Issues, and Addressing Scheduling Issues), unpublished, dated October 3, 2006.

and brief. While the Staff is working diligently to answer the questions and draft the brief, the extent and complexity of the environmental questions is similar to, if not greater than that of the safety questions, and the Staff has fewer working days to answer them (9 days, versus 12 for the safety questions), given that October 9 was a Federal holiday. Further, the undersigned Staff counsel will not be available during the week of October 10-13. In addition, some of the questions raise significant policy and legal issues that warrant increased Staff coordination. Accordingly, the Staff requests an extension of time until October 23, 2006, to submit its filings in response to the Board's Order. As required by 10 C.F.R. § 2.323(b), Staff counsel contacted counsel for SERI regarding this motion, who indicated that SERI had no objection to this motion.

The Staff believes that the granting of this motion need not delay the schedule for the remaining portions of this proceeding, since the Board will have seventeen days from the Staff's proposed filing date until testimony is due on November 9, 2006. If the Board should desire to propound any additional questions to the Staff on environmental matters, it would have a week to ten days to consider the Staff answers and brief before doing so. In addition, the pre-hearing conference scheduled for October 19, 2006 need not be delayed, inasmuch as the Staff has provided answers to the Board's questions with respect to safety matters, and they are ripe for discussion.

CONCLUSION

For the reasons set forth herein, the Staff respectfully requests an extension of the date set in the Board's Order for filing the requested answers and brief until October 23, 2006.

Respectfully submitted,

*/RA/*

Robert M. Weisman  
Counsel for the NRC Staff

Dated at Rockville, Maryland  
this 10<sup>th</sup> day of October, 2006.

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CERTIFICATE OF SERVICE

I hereby certify that copies of the "NRC STAFF MOTION FOR AN EXTENSION OF TIME" in the above-captioned proceeding have been served on the following by electronic mail and with copies by deposit in the Nuclear Regulatory Commission's internal mail system, or, as indicated by an asterisk (\*), through electronic mail with copies by deposit in the U.S. Mail on this 10<sup>th</sup> day of October, 2006:

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