

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

DOCKETED
USNRC

December 14, 2007 (1:08pm)

In the matter of
Entergy Corporation
Pilgrim Nuclear Power Station
License Renewal Application

Docket # 50-293

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

December 14, 2007

**PILGRIM WATCH'S MOTION REQUESTING THAT THE ORDER
ESTABLISHING THE SCHEDULE FOR THE PROCEEDINGS BE RESET TO
EXTEND ALL DEADLINES FOR FILINGS THIRTY (30) DAYS TO ALLOW
REVIEW DOCUMENTS PROVIDED BY ENTERGY REGARDING
MONITORING WELLS REQUESTED NOVEMBER 20, 2007 RECEIVED
DECEMBER 14, 2007**

Pilgrim Watch hereby requests that the Atomic Safety and Licensing Board consider resetting the schedule for the proceedings and extend all deadlines for filings thirty (30) days allowing Petitioner and their experts to review documents requested November 20, 2007 and received by the Petitioner, December 14.

Pilgrim Watch talked to the Applicant's attorney, David Lewis this morning, December 14. We asked if they would agree to postpone the filing dates for the reasons presented below; and they objected to a time extension.

Monitoring is clearly relevant to this case; and we have been preparing our statements position and expert testimony on the now false assumption that Pilgrim has no wells. The October 17, 2007 Order states [at 18] that,

...the only issue remaining before this licensing Board regarding Contention 1 is whether or not monitoring wells are necessary to assure that the buried pipes and tanks at issue will continue to perform their safety function during the license renewal period -, or, put another way, whether Pilgrim's existing AMPs have elements that provide appropriate assurance as required under relevant NRC

regulations that the buried pipes and tanks will not develop leaks so great as to cause those pipes and tanks to be unable to perform their intended safety functions.

We have learned by happenstance that monitoring wells have been installed. Today, Pilgrim Watch received, again by happenstance, a packet of new information, without any prior notification by the Applicant that the information was being sent. The material requires review to determine if it provides information to understand and assess the current monitoring program. Petitioner hopes that the two experts can be notified and can receive copies of the materials this week-end.

After review of this new material, the Petitioners and our experts will have to redo substantial portions of our statements position and expert testimony. Additionally we will have to determine what portions of the information marked "Confidential-Provided in Connection With Settlement Discussions" may be used in our statements position and expert testimony. This morning, the Petitioner requested that Pillsbury answer that question today. Therefore, we may have to file yet another motion if permission to use what we consider important material is withheld.

Chronology:

November 20, 2007, the Applicant and Petitioner's discussed a potential settlement. The Petitioner's explained that they would require seeing certain documents in order to assess the offer. At that time the Applicant made no commitment to provide the requested material nor did they indicate that they were installing monitoring wells.

December 11, 2007: the Petitioner learned that Tritium had been discovered on site from a Duxbury Town official who understood that the tritium was discovered in a boring hole and further did not understand that monitoring well(s) were already placed on site.

December 12, 2007: Pilgrim Watch filed a Motion to Extend the Hearing Schedule to allow time to investigate the Tritium event.

December 14, 2007: Pilgrim Watch found a FedEx package on a side-door stoop, shipping date December 12. The applicant provided no pre-notification that the material was shipped and there was no request for a signature by FedEx personnel. The package was discovered by happenstance.

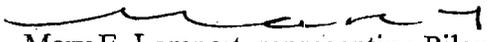
December 21, 2007: The Statements Position, Written Direct Testimony and Exhibits are scheduled for filing

The fact that the Applicant went ahead and placed monitoring wells, without sharing their intent to do so, and failed to provide pertinent information relevant to the program has a dramatic impact on this case. The work done to date by the Petitioners and their experts to prepare for the December 21 filing must be substantially redone. In fact, the Petitioner hopes that we can locate our experts in a timely manner and transfer the data to them for review.

It appears to us that the Applicant unnecessarily “blind-sided” the Petitioners by not revealing their intent to place wells in a timely and straight-forward manner; and then compounded the issue by not providing pertinent materials until this late date and failed to clearly state nearly a month ago that they intended to do so. The result is putting the Petitioners into an impossible time crunch and incurring unnecessary time and expense.

It is clear that it is in the interest of the Atomic Safety and Licensing Board to have the best information on this issue presented to them - from both sides. In order for the Petitioner’s to properly prepare our statements position and to respond to the Applicant’s Settlement offer, additional is required. This request would not seem to place an undue burden on the Board.

Respectfully submitted,


Mary E. Lampert, representing Pilgrim Watch pro se
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CERTIFICATE OF SERVICE

I Hereby Certify That The Foregoing Pilgrim Watch Motion Requesting That The Order Establishing The Schedule For The Proceedings Be Reset To Extend All Deadlines For Filings At Minimum Thirty (30) Days Has Been Served This 14th Day Of December, 2007 By Electronic Mail And By U.S. Mail, First Class To Each Of The Following:

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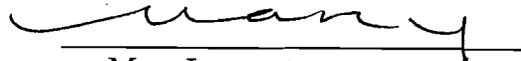
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