

January 9, 2008

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
ENTERGY NUCLEAR OPERATIONS, INC.) Docket Nos. 50-247/286-LR
)
(Indian Point Nuclear Generating)
Units 2 and 3))

NRC STAFF'S SUPPLEMENT TO ITS MOTION
TO STRIKE FUSE'S SUPERCEDING PETITION

Pursuant to 10 C.F.R. §§ 2.323(a) and 2.1204(a), the Staff of the U.S. Nuclear Regulatory Commission ("NRC Staff") hereby provides the following information, in supplementation of its January 4, 2008 Motion to Strike the "Superceding Request for Hearing and Petition to Intervene" ("Superceding Petition"), which had been filed electronically on December 24, 2007, by Friends United for Sustainable Energy, USA ("FUSE").

1. In the NRC Staff's Motion to Strike, the Staff reported that it had not yet received service of a paper copy of FUSE's Superceding Petition, and that it had not received the Exhibits to FUSE's Superceding Petition, in any form whatsoever. Motion to Strike at 3. The Staff recounted its efforts to obtain service of FUSE's Superceding Motion and Exhibits, including Staff Counsel's telephone call to FUSE on December 27, 2007, and a further call to FUSE Representative John LeKay's personal phone number on January 4, 2008. *Id.* at 4-5. The Staff further reported the information it obtained from Mr. LeKay, regarding FUSE's attempted service on the Staff by UPS, on December 24, 2007; Mr. Turk's discovery, using the tracking numbers provided by Mr. LeKay, that FUSE had provided an incorrect address for the

NRC Staff and the Office of Commission Appellate Adjudication (using the NRC's U.S. Postal Service unique zip code address instead of the street address for expedited delivery); and that FUSE's Certificate of Service, stating that service was to be made by U.S. Mail postage prepaid, on Staff Counsel (and others) appeared to be misleading and incorrect. *Id.* at 5-6.

2. In one of their telephone conversations of January 4, 2008, Mr. Turk informed Mr. LeKay of the NRC's street address required for express mail and expedited delivery service. On January 7, 2008, at approximately 3:00 PM, Mr. Turk received two packages from FUSE, each of which bears a delivery label dated January 4, 2008, addressed to Mr. Turk at the NRC's street address, which appears to be taped over the original delivery label. See Exhibit 1 hereto.

3. One of the two boxes contains (a) one copy of FUSE's "Superceding Formal Petition to Intervene, Formal Request for Hearing, and Contentions," (b) a DVD disc labeled "FUSE Christmas Contentions & Exhibits" (without protective sleeve or case) and (c) a postcard from UPS in Landover, MD, dated December 28, 2007, stating "We are unable to complete delivery because INCOMPLETE ADDRESS, NOT DELIVERED." Exhibit 2, attached hereto. The second box contains (a) five copies of FUSE's "Superceding Formal Petition to Intervene, Formal Request for Hearing, and Contentions," (b) five DVD discs labeled "FUSE Christmas Contentions & Exhibits" (without protective sleeves or cases), and (c) a handwritten note (copy enclosed herewith) stating, "NRC COPIES & ORIG / 5 copies / 1 as original 4 copies / Office of Commission / Admin Judges (3) / Law Clerk." Exhibit 3, attached hereto.

4. An examination of the tracking records for these shipments discloses that UPS received a corrected address for the two shipments at 3:50 and 3:54 PM on January 4, 2008, that UPS then rescheduled the delivery, and that delivery was made at 11:39 AM on January 7, 2008. See Exhibit 4 attached hereto.

5. FUSE did not request that the Staff file and serve the Superceding Petition and DVD on its behalf to the Office of the Secretary or any other Commission employee. Mr. Turk transmitted an E-mail message to Mr. LeKay at fuse_usa@yahoo.com, asking to whom he wanted the larger box to be delivered; no answer having been received, Mr. Turk delivered the larger box to Emile Julian, Esq. in the Office of the Secretary. Thereafter, at approximately 1:00 PM on January 8, 2008, Mr. Turk received an unsigned E-mail message from that E-mail address, requesting that the box be delivered to the Office of the Secretary.

6. The Staff attempted to open or run the DVD disc contained in its delivery package, but found the disc could not be read or accessed by its computers. In Mr. Turk's presence, Mr. Julian attempted to open or run the discs contained in the larger box, and found that two of those discs could not be read by the mailroom computer in the Office of the Secretary. Mr. Julian authorized the Staff to retain one of the three usable DVD discs, which the Staff has done.

7. In sum, the Staff has now received service of a paper copy of FUSE's Superceding Petition and, with Mr. Julian's authorization, a DVD disc containing FUSE's exhibits. Paper copies of the exhibits have not been received.

8. Based on the facts set forth above and in the Motion to Strike, it appears that FUSE attempted to file and serve its Superceding Petition and the DVD disc on December 24, 2007, but failed to effectuate filing and service because it provided an incorrect address for UPS delivery, contrary to the requirements of 10 C.F.R. §§ 2.302(a)(2) and 2.305(d)(4)(ii). Further, although Staff Counsel informed FUSE that the Staff had not received service as of December 27, 2007, FUSE failed to take any action to rectify this problem until Staff Counsel again pursued the matter by calling Mr. LeKay's personal telephone number on January 4,

2007, obtained the UPS tracking numbers, discovered that FUSE's documents were not delivered due to FUSE's failure to provide a correct delivery address, and then informed Mr. LeKay of this fact and provided the NRC's street address to Mr. LeKay. See Motion to Strike at 4-6.

9. The delay in FUSE's completion of service is due to its failure to adhere to the procedural requirements set forth in 10 C.F.R. Part 2, and other errors of its own making. Thus, FUSE (a) failed to use the NRC's street address in attempting to file and serve by UPS expedited delivery; (b) never called UPS or did an online tracking search to determine whether its packages were delivered to the Staff or others at the NRC – even after Mr. Turk informed FUSE on December 27 that the Staff had not received delivery, one day after the date (December 26) that FUSE had expected delivery to be made; (c) FUSE only corrected its error as a result of Staff Counsel's continued efforts to determine whether (and if so, how) service had been made; (d) FUSE prevented the Staff from learning of these errors sooner by providing FUSE's office (*i.e.*, Mr. Martinelli's home) address and telephone number as the contact information for its new representative, by informing Staff Counsel that FUSE would be on vacation until January 9, 2008, and by incorrectly stating in its Certificate of Service that a paper copy was or would be served by U.S. Mail, postage prepaid.

10. Although FUSE has now filed and served a paper copy of its Superceding Petition, it has not filed and served a paper copy of its Exhibits, as is specifically required by 10 C.F.R. §§ 2.305(c) and (e). FUSE has apparently transferred responsibility for printing its documents (and even for assuring that its discs are readable) to each of the addressees on the service list, including the Office of the Secretary, the Licensing Board, and all parties in this proceeding, without having sought leave to do so. Further, if FUSE's actions are allowed to

stand without consequence, FUSE (and possibly other participants in this proceeding) may conclude they can disregard the Commission's filing and service requirements in the future, leading to further confusion and disarray in the docket of this proceeding, requiring increased expense, time and resources to be devoted by other participants who must then undertake to obtain and print documents that were not served in compliance with the Rules.

11. It is now clear that the "Certificate of Service" attached to the Superceding Petition is incorrect, insofar as it states that "a copy of FUSE USA's Superceding Petition . . . by [FUSE Representative] Heather Ellsworth Burns-DeMelo were sent by email, with hard copies to follow via First Class U.S. Mail postage prepaid" to various persons on the Indian Point service list, including the Office of Commission Appellate Adjudication ("OCAA"), the Licensing Board members, the Board's Law Clerk, and Counsel for the Staff. Superceding Petition, at 468-69. In fact, service was made to an incorrect address, and then only to Staff Counsel and OCAA – which FUSE apparently assumed would complete service in accordance with the unsigned note included in its delivery box.¹ FUSE did not file its documents with, and did not

¹ By depositing five copies of its Superceding Petition and DVD discs in a single box addressed to the Office of Commission Appellate Adjudication (later re-directed to Counsel for the Staff), with a note listing the intended recipients, FUSE apparently concluded that this method of delivery would suffice in lieu of the method of service required in 10 C.F.R. Part 2 -- and despite the representations it made in its Certificate of Service regarding the recipients, addresses and method of service it claimed to have used. The Licensing Board has previously admonished FUSE for failing to serve its documents in accordance with the NRC Rules of Practice, stating:

Rather than complying with the Commission's Rules of Practice, 10 C.F.R. Part 2 as explained by this Board in our Order dated October 29, 2007, FUSE has taken a different approach. For example, instead of serving Petition 3 on the appropriate parties FUSE stated: "It is quite certain, that other parties will be capable of downloading a copy of this filing from ADAMS in the very near future." While the statement may well be true, it did not satisfy FUSE's obligation to serve all parties to this proceeding.

(continued. . .)

make service upon the Office of the Secretary, contrary to the requirements of 10 C.F.R. § 2.302 and 2.305. Further, even if FUSE's attempted delivery to OCAA is accepted, it provided only five copies of its filing (including several DVD discs that could not be accessed), when it should have served seven complete paper copies of its filing (an original and two copies to the Office of the Secretary, three copies to the Licensing Board, and a copy to the Board's Law Clerk).

12. Numerous entities have petitioned to intervene in this license renewal proceeding, and they have raised numerous issues in their contentions. As the Licensing Board previously observed, this proceeding may well be protracted and complex. See Memorandum and Order (Administrative Matters and Directing Parties Attention to Requirements for Proper Service)" (Oct. 29, 2007), at 2-3. In these circumstances, it is particularly important that all participants pay close attention to the Commission's Rules of Practice, including the rules governing the filing and service of documents, to assure that the proceeding is conducted in an orderly manner that is fair to all participants. *Id.* FUSE's failure to read and comply with the Commission's Rules of Practice, and to read and comply with Orders entered by the Commission and the Licensing Board – particularly where those Orders were specifically directed to its previous failure to comply with the rules of procedure – has caused confusion and disarray, and resulted in unnecessary efforts by the Staff to obtain the documents which FUSE was required to serve. See Motion to Strike at 9-11. FUSE has shown

(. . .continued)

Memorandum and Order (Denying Entergy's Motion to Strike But Sua Sponte Striking FUSE's Multiple Requests for Hearing)" (Nov. 28, 2007), at 3.

that it is unwilling or unable to comply with the Rules of Practice and the Orders issued in this proceeding, even though those Orders were specifically directed toward FUSE's own failure to read and comply with the NRC's rules of procedure.

13. As noted in the Staff's Motion to Strike (at 9), the Licensing Board's Memorandum and Order of October 29, 2007, warned all participants that "[i]f Requests for Hearing or Petitions for Leave to Intervene are not properly filed and properly served on or before November 30, 2007, a Motion to Dismiss the Petition, rather than, or in addition to, an Answer would be an appropriate pleading." Memorandum and Order, at 1; emphasis added. Further, the Board warned that "failure to comply with the Rules can well result in a litigant being dismissed from this proceeding." *Id.* at 2-3; emphasis added. In addition, the Commission, in its Order of November 16, 2007 (granting FUSE's request for an extension of time), specifically "remind[ed]" FUSE that it must comply with the service requirements in 10 C.F.R. Part 2:and "that there are potential repercussions in failing to follow the pleading requirements, including the possibility that pleadings not served on all parties and pleadings not accompanied by a Certificate of Service may be stricken." Order of November 16, 2007, at 1-2; emphasis added.

14. Further, in striking FUSE's previous petitions to intervene, the Licensing Board specifically instructed FUSE to read and comply with the Commission's Rules of Practice and the Orders issued in this proceeding, or face the possibility of dismissal from the proceeding:

We again urge FUSE, and all other persons or organizations who wish to participate in this matter, to read the Commission's Rules of Practice, 10 C.F.R. Part 2, and the Board's Orders. Those Rules and Orders outline procedures that allow hearings to proceed in a fair and orderly manner. As we have repeatedly stated, failure by any party to comply with the rules and orders works an injustice on the other parties to the proceeding. Accordingly, failure to comply can well result in a

litigant being dismissed from this proceeding. This Board cannot, and will not, be in the position of continually correcting litigants deficient pleadings and then ruling on the substance of those pleadings.

Memorandum and Order (Denying Entergy's Motion to Strike But Sua Sponte Striking FUSE's Multiple Requests for Hearing)" (Nov. 28, 2007), at 3-4. Other Orders issued in this proceeding are to the same effect. See Motion to Strike, at 9-11.

15. FUSE has continued to disregard the Commission's rules governing filing and service of documents: Contrary to the representations in its Certificate of Service, it failed to file and serve its Superseding Petition on the Office of the Secretary, and failed to serve the Licensing Board; it claimed to make service via U.S. Mail postage prepaid, but did not do so; it used incorrect mailing addresses for the Staff and others at the NRC, it failed to provide paper copies of its exhibits (and even failed to provide readable DVD discs); and it failed to file and serve its Superseding Petition and Exhibits in a timely manner. In sum, FUSE carelessly executed an inaccurate and materially deficient Certificate of Service, and carelessly failed to effect proper service. Moreover, even after being informed by Staff Counsel on December 27 that service had not been received, it failed to take any action on its own to correct its improper service until Staff Counsel again pursued the matter one week later and took steps on his own to discover whether FUSE had served the Staff, and if so, how service had been made.

16. This is not the first time FUSE has disregarded the Commission's rules governing the filing and service of documents. It has been admonished repeatedly by the Licensing Board and the Commission to comply with the NRC's requirements governing the filing and service of documents, or face the dismissal of its petition and its participation in this proceeding. FUSE has acted in careless disregard of other parties' (as well as the Commission and Licensing Board's) right and need to receive timely service of its pleadings. Further, it has

acted in careless disregard of the parties' (and the Commission and Licensing Board's) need to confidently rely upon the representations made in its certificates of service, executed as required in 10 C.F.R. § 2.304(c). As the Licensing Board has ruled:

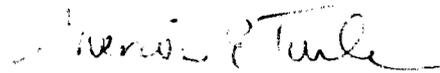
[T]he Board and the parties must not be left uncertain as to whom, and when, pleadings have been provided. . . . [S]ervice must be properly made and Certificates of Service must be accurate and complete, including the identity of the person served, the address to which it was sent, the method of service, and the signature . . . of the person who has certified that service has been made exactly as specified in the Certificate of Service. . . . Failure by any party to comply with the Rules works an injustice on the other parties to the proceeding. Accordingly, failure to comply with the Rules can well result in a litigant being dismissed from this proceeding.

Memorandum and Order of October 29, 2007, at 2-3.

CONCLUSION

The Staff respectfully submits that FUSE's continued disregard of the Commission's Rules of Practice governing the filing and service of documents, in the face of repeated admonishments by the Licensing Board and the Commission, warrants that its Superseding Petition be dismissed at this time.

Respectfully submitted,



Sherwin E. Turk
Counsel for NRC Staff

Dated at Rockville, Maryland
this 9th day of January 2008

NRC STAFF

SUPPLEMENT TO
MOTION TO STRIKE

EXHIBIT 1

SHERWIN TURK
11555 ROCKVILLE PIKE
ROCKVILLE MD 20852-2739
5 S: TWHITE I: 536
536-1438
1Z5AR1040300593653

Postcards
Beet

INVENTORY CONTROL NUMBER
2000-P228-8809
OFFICE OF COMMUNICATIONS
1Z5AR1040300593653

30 LBS 1 OF 1
STAPLES STORE402
(914) 734-2445
3333 CROMPOUND RD
YORKTOWN NY 10588
SHIP TO: SHERWIN TURK
NUCLEAR REGULATORY PIKE
11555 ROCKVILLE PIKE
ROCKVILLE MD 20852 2739
04/Jan/2008 20:34 2000-P228-8809
MD 207 9-78
1Z5AR1040300593653

UPS GROUND
TRACKING #: 1Z5AR104 03 0058 3653
BILLING: P/P
Shipped by Staples for

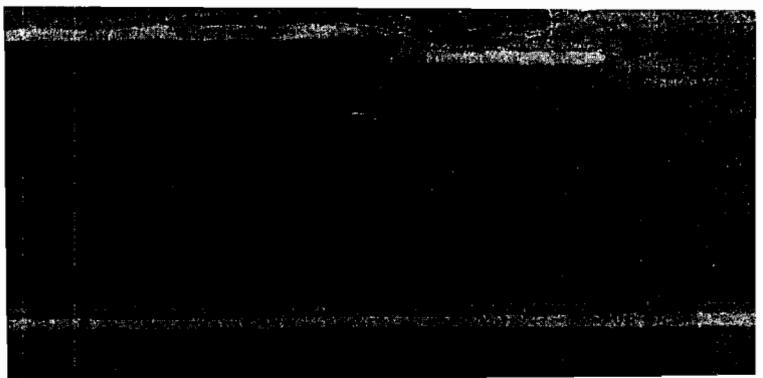
Fuller Day

Handwritten signature

*Postcard
Room*

POSTAGE WILL BE PAID BY ADDRESSEE

Synchronizing the world of commerce SM



SHIP TO: 3333 CROMFORD RD YORKTOWN NY 10688

SHIP

04/20/1208 30 41 200-928-8830

7 LBS 1 OF 1

SHERWIN TURK
NUCLEAR REG COMM PIKE
11555 ROCKVILLE PIKE
ROCKVILLE MD 20852-2739

MD 207 9-78

1580100020531562

UPS GROUND
TRACKING # 1Z581104 00 0089 3892

BILLING: P/P

Shipped by Staples for

Pro 3.00 m/par 30.00 800078

536-1438

5 P 5

S: TWHITTE 1: 536

ROCKVILLE MD 20852-2739

SHERWIN TURK
11555 ROCKVILLE PIKE
ROCKVILLE MD 20852-2739

UPS

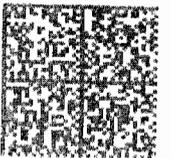
NRC STAFF

SUPPLEMENT TO
MOTION TO STRIKE

EXHIBIT 2

Thank You!

UPS
3440 ARDWICK-LANDMOORE
RD
LANDOVER, MD 20785



UNITED STATES POSTAGE
02 1A
0004385542
MAILED FROM ZIP CODE 20785
\$00.25
DEC 28 2007

Dear Customer:

On 29 Dec 2007, we received a package(s) for you from:

Shipper name

COD Amount

Control#

RTN

260A-2078-8890

12A-110-11001890007

We are unable to complete delivery because:
INCOMPLETE ADDRESS, NOT DELIVERED

To:

OFFICE OF GENERAL
COUNSEL
0-1ND21 MAIL
WASHINGTON DC 20545 0001

Please pickup your package(s) at the above address (photo
id is required) or call us at 1-800-877-1719.

The package(s) will be returned to the sender on 04 Jan
2008.

Hours of Operation:

Monday - Friday 08:00 AM - 4:30 PM
Saturday - Sunday 09:00 AM - 12:00 PM

NRC STAFF

SUPPLEMENT TO
MOTION TO STRIKE

EXHIBIT 3

NRC COPIES, ORIG

5 Copies

1 As original 4 copies

Office of Commission
Admin Judges (3)
Law Clerk

NRC STAFF

SUPPLEMENT TO
MOTION TO STRIKE

EXHIBIT 4



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Your package has been delivered.

Tracking Number: **1Z 5AR 104 03 0059 365 3**
 Type: Package
 Status: **Delivered** [Proof of Delivery](#)
 Delivered On: 01/07/2008 11:39 A.M.
 Signed By: DENNIS
 Location: OFFICE
 Delivered To: ROCKVILLE, MD, US
 Shipped/Billed On: 12/24/2007
 Service: GROUND
 Weight: 29.20 Lbs

To view additional tracking information, please log in to My UPS.

Package Progress

Location	Date	Local Time	Description
LAUREL, MD, US	01/07/2008	11:39 A.M.	DELIVERY
LAUREL, MD, US	01/06/2008	8:51 P.M.	DESTINATION SCAN
LAUREL, MD, US	01/04/2008	11:00 P.M.	ARRIVAL SCAN
LANDOVER, MD, US	01/04/2008	9:17 P.M.	DEPARTURE SCAN
	01/04/2008	8:34 P.M.	THE RECEIVER'S ADDRESS IS INCOMPLETE. UPS IS ATTEMPTING TO OBTAIN THE ENTIRE ADDRESS AND COMPLETE THE DELIVERY. / THE ADDRESS HAS BEEN CORRECTED. THE DELIVERY HAS BEEN RESCHEDULED
LANDOVER, DC, US	01/04/2008	3:50 P.M.	A DELIVERY CHANGE REQUEST FOR THIS PACKAGE WILL BE



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			PROCESSED / DELIVERY TO AN ALTERNATE ADDRESS WAS REQUESTED
LANDOVER, MD, US	12/28/2007	4:54 A.M.	THE RECEIVER'S ADDRESS IS INCOMPLETE. UPS IS ATTEMPTING TO OBTAIN THE ENTIRE ADDRESS AND COMPLETE THE DELIVERY. / A POSTCARD HAS BEEN SENT TO THE RECIPIENT REQUESTING THAT THEY CONTACT UPS.
	12/28/2007	4:39 A.M.	OUT FOR DELIVERY
	12/28/2007	3:30 A.M.	ARRIVAL SCAN
BALTIMORE, MD, US	12/27/2007	9:51 P.M.	DEPARTURE SCAN
	12/27/2007	11:25 A.M.	ARRIVAL SCAN
SECAUCUS, NJ, US	12/27/2007	7:04 A.M.	DEPARTURE SCAN
SECAUCUS, NJ, US	12/26/2007	10:33 P.M.	ARRIVAL SCAN
YORKTOWN HGTS, NY, US	12/26/2007	9:15 P.M.	DEPARTURE SCAN
	12/26/2007	7:01 P.M.	ORIGIN SCAN
	12/26/2007	4:18 P.M.	PICKUP SCAN
US	12/24/2007	12:39 A.M.	BILLING INFORMATION RECEIVED

Tracking results provided by UPS: 01/07/2008 4:22 P.M. ET

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Your package has been delivered.

Tracking Number: **1Z 5AR 104 03 0059 366 2**
 Type: Package
 Status: **Delivered** [Proof of Delivery](#)
 Delivered On: 01/07/2008 11:39 A.M.
 Signed By: DENNIS
 Location: OFFICE
 Delivered To: ROCKVILLE, MD, US
 Shipped/Billed On: 12/24/2007
 Service: GROUND
 Weight: 6.30 Lbs

To view additional tracking information, please log in to My UPS.

Package Progress

Location	Date	Local Time	Description
LAUREL, MD, US	01/07/2008	11:39 A.M.	DELIVERY
LAUREL, MD, US	01/06/2008	8:56 P.M.	DESTINATION SCAN
LANDOVER, MD, US	01/04/2008	8:41 P.M.	THE RECEIVER'S ADDRESS IS INCOMPLETE. UPS IS ATTEMPTING TO OBTAIN THE ENTIRE ADDRESS AND COMPLETE THE DELIVERY. / THE ADDRESS HAS BEEN CORRECTED. THE DELIVERY HAS BEEN RESCHEDULED
LANDOVER, DC, US	01/04/2008	3:58 P.M.	A DELIVERY CHANGE REQUEST FOR THIS PACKAGE WILL BE PROCESSED / DELIVERY TO AN ALTERNATE ADDRESS WAS REQUESTED
LANDOVER, MD, US	12/28/2007	6:40 A.M.	OUT FOR DELIVERY

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	12/28/2007	6:16 A.M.	THE RECEIVER'S ADDRESS IS INCOMPLETE. UPS IS ATTEMPTING TO OBTAIN THE ENTIRE ADDRESS AND COMPLETE THE DELIVERY. / A POSTCARD HAS BEEN SENT TO THE RECIPIENT REQUESTING THAT THEY CONTACT UPS.
	12/28/2007	3:30 A.M.	ARRIVAL SCAN
BALTIMORE, MD, US	12/27/2007	9:51 P.M.	DEPARTURE SCAN
	12/27/2007	11:25 A.M.	ARRIVAL SCAN
SECAUCUS, NJ, US	12/27/2007	7:04 A.M.	DEPARTURE SCAN
SECAUCUS, NJ, US	12/26/2007	10:33 P.M.	ARRIVAL SCAN
YORKTOWN HGTS, NY, US	12/26/2007	9:15 P.M.	DEPARTURE SCAN
	12/26/2007	7:00 P.M.	ORIGIN SCAN
	12/26/2007	4:18 P.M.	PICKUP SCAN
US	12/24/2007	12:39 A.M.	BILLING INFORMATION RECEIVED

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
ENTERGY NUCLEAR OPERATIONS, INC.) Docket Nos. 50-247/286-LR
)
(Indian Point Nuclear Generating)
Units 2 and 3))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing "NRC STAFF'S SUPPLEMENT TO ITS MOTION TO STRIKE FUSE'S SUPERCEDING PETITION," dated January 9, 2008, have been served upon the following through deposit in the NRC's internal mail system, with copies by electronic mail, as indicated by an asterisk, or by deposit in the U.S. Postal Service, as indicated by double asterisk, with copies by electronic mail this 9th day of January, 2008:

Lawrence G. McDade, Chair*
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
E-mail: LGM1@nrc.gov

Dr. Richard E. Wardwell*
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
E-mail: REW@nrc.gov

Dr. Kaye D. Lathrop*
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
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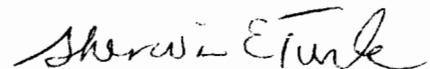
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