

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED 02/01/08

ATOMIC SAFETY AND LICENSING BOARD

SERVED 02/01/08

Before Administrative Judges:

Lawrence G. McDade, Chairman
Dr. Kaye D. Lathrop
Dr. Richard E. Wardwell

In the Matter of

ENTERGY NUCLEAR OPERATIONS, INC.

(Indian Point Nuclear Generating
Units 2 and 3)

Docket Nos. 50-247-LR and 50-286-LR

ASLBP No. 07-858-03-LR-BD01

February 1, 2008

ORDER

(Granting Extension of Time to File Reply)

In an Order, dated January 2, 2008, this Board directed that all Answers to Petitions to Intervene be filed on or before January 22, 2008, and that any Reply thereto be filed on or before February 8, 2008.¹ Thereafter, in accordance with that Order, the NRC Staff and the Applicant, Entergy Nuclear Operations, Inc. (Entergy), timely filed their Answers to the numerous Petitions to Intervene.² On January 29, 2008, the State of New York filed a Motion requesting a fourteen-day Extension of Time within which to file its Reply.³ On the same day, Riverkeeper, Inc. filed a Motion for Extension of Time asking for an additional seven (7) days

¹ Licensing Board Order (Clarifying Time for Entergy to File Answers to CRORIP 10 C.F.R. 2.335 Petition) (Jan. 2, 2008).

² NRC Staff's Response to Petitions for Leave to Intervene Filed by (1) Westchester Citizen's Awareness Network, Rockland County Conservation Association, Public Health and Sustainable Energy, Sierra Club - Atlantic Chapter, and Assemblyman Richard Brodsky, and (2) Friends United for Sustainable Energy, USA (Jan. 22, 2008); Answer of Entergy Nuclear Operations, Inc. Opposing WestCAN, Et Al. Petition for Leave to Intervene and Request for Hearing (Jan. 22, 2008).

³ State of New York's Motion for Extension of Time in Which to File a Reply (Jan. 29, 2008).

within which to file its Reply.⁴ The Board granted both motions.⁵

On January 31, 2008, Westchester Citizen's Awareness Network, Rockland County Conservation Association, Public Health and Sustainable Energy, Sierra Club - Atlantic Chapter, and Assemblyman Richard Brodsky (collectively "WestCAN") filed a Motion requesting an additional seven (7) days within which to file its Reply.⁶ Neither the NRC Staff nor Entergy opposed this Motion.⁷

The Motion for a seven-day extension is granted. WestCAN may file its Reply on or before February 15, 2008.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD⁸

/RA/

Lawrence G. McDade, Chairman
ADMINISTRATIVE JUDGE

Rockville, MD
February 1, 2008

⁴ Riverkeeper, Inc.'s Unopposed Motion For Extension of Time in Which to Reply to Oppositions to Riverkeeper's Hearing Request (Jan 29, 2008).

⁵ Licensing Board Order (Granting Motions of New York and Riverkeeper for Extension of Time) (Jan. 29. 2008).

⁶ Westchester Citizen's Awareness Network, Rockland County Conservation Association, Public Health and Sustainable Energy, Sierra Club - Atlantic Chapter, and Richard Brodsky Motion for Extension of Time in Which to File a Reply (Jan. 31, 2008).

⁷ Id. at 3.

⁸ Copies of this Order were sent this date by Internet e-mail to: (1) Counsel for the NRC Staff; (2) Counsel for Entergy; (3) Counsel for the State of New York; (4) Counsel for the State of Connecticut; (5) Counsel for Riverkeeper, Inc.; (6) Counsel for WestCan, RCCA, PHASE, the Sierra Club - Atlantic Chapter, and Richard Brodsky; (7) Nancy Burton, the Representative of CRORIP; (8) Manna Jo Green, the Representative for Clearwater; (9) John LeKay, the Representative for FUSE; (10) Counsel for Westchester County; and (11) Counsel for the Town of Cortlandt.

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NUCLEAR REGULATORY COMMISSION

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Units 2 and 3))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (GRANTING EXTENSION OF TIME TO FILE REPLY) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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Docket Nos. 50-247/286-LR
LB ORDER (GRANTING EXTENSION OF TIME TO FILE REPLY)

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Docket Nos. 50-247/286-LR
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[Original signed by R. L. Giitter]
Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 1st day of February 2008