

RAS E-152

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

DOCKETED  
USNRC

August 21, 2008 (2:26pm)

Before Administrative Judges

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

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

In the Matter of	)	
ENTERGY NUCLEAR OPERATIONS, INC.	)	Docket Nos. 50-247- LR and 50-286-LR
(Indian Point Nuclear Generating Units 2 and 3)	)	ASLBP No. 07-858-03-LR-BD01
	)	August 21, 2008

HUDSON RIVER SLOOP CLEARWATER, INC.'S NOTICE OF ADOPTION OF  
CONTENTIONS

Hudson River Sloop Clearwater, Inc. ("Clearwater") hereby gives notice pursuant to 10 C.F.R. §2.309(f)(3)<sup>1</sup> that it is adopting the following contentions filed by the State of New York.

1) Clearwater adopts New York State Contention 9 and agrees that New York State will act as representative with respect to this contention. The Atomic Safety and Licensing Board (the "Board") ordered in its Memorandum and Order dated July 31, 2008 (at p. 209) (the "Order") that "Clearwater may adopt NYS-9" and therefore no motion should be required by Clearwater.<sup>2</sup>

2) Clearwater adopts New York State Contention 12 and agrees that New York State will act as representative with respect to this contention. The Board ordered in its Memorandum and Order dated July 31, 2008 (at p. 205) that "Clearwater may adopt NYS-12" and therefore no motion should be required by Clearwater.

<sup>1</sup> 10 C.F.R. § 2.309 (f)(3) provides:

"If two or more requestors/petitioners seek to co-sponsor a contention, the requestors/petitioners shall jointly designate a representative who shall have the authority to act for the requestors/petitioners with respect to that contention. If a requestor/petitioner seeks to adopt the contention of another sponsoring requestor/petitioner, the requestor/petitioner who seeks to adopt the contention must either agree that the sponsoring requestor/petitioner shall act as the representative with respect to that contention, or jointly designate with the sponsoring requestor/petitioner a representative who shall have the authority to act for the requestors/ petitioners with respect to that contention."

<sup>2</sup> It is unclear from the Board's Order whether Clearwater must formally file this notice, and Clearwater is filing this notice in the exercise of caution.

TEMPLATE = SECY-037

DS 03

WHEREFORE, Clearwater respectfully gives notice of, or alternatively moves to adopt the above-described Contentions filed by the State of New York.

Dated: August 21, 2008  
Poughkeepsie, New York

Respectfully Submitted,

HUDSON RIVER SLOOP CLEARWATER, INC.

By: Manna Jo Greene  
Manna Jo Greene  
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Stephen C. Filler/mjg  
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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges

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

In the Matter of \_\_\_\_\_ )  
ENTERGY NUCLEAR OPERATIONS, INC. ) Docket Nos. 50-247- LR and  
50-286-LR  
(Indian Point Nuclear Generating ) ASLBP No. 07-858-03-LR-BD01  
Units 2 and 3) \_\_\_\_\_ )  
April 7, 2008

**CERTIFICATE OF SERVICE**

I hereby certify that on August 21, 2008 a true copy of the foregoing HUDSON RIVER SLOOP CLEARWATER, INC.'S NOTICE OF ADOPTION OF CONTENTIONS was served by electronic mail and by first class mail on the following:

Lawrence G. McDade, Chair Atomic Safety and Licensing Board Panel Atomic Safety and Licensing Board U.S. Nuclear Regulatory Commission Washington, D.C. 20555 Also by e-mail: <a href="mailto:Lawrence.McDade@nrc.gov">Lawrence.McDade@nrc.gov</a>	Robert D. Snook, Esq. Assistant Attorney General 55 Elm Street, P.O. Box 120 Hartford, CT 06141-0120 By e-mail: <a href="mailto:Robert.Snook@po.state.ct.us">Robert.Snook@po.state.ct.us</a>
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Dated: August 21, 2008  
Poughkeepsie, New York

Respectfully Submitted,

HUDSON RIVER SLOOP CLEARWATER, INC.

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