

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.
(Indian Point Nuclear Generating Units 2 and 3)

Docket Nos. 50-0247-LR and
50-286-LR
ASLBP No. 07-858-03-LR-BD01
August 18, 2009

Order
(Granting New York State's Motion for Extension of Time)

On August 13, 2009, New York requested an extension of time within which to file a Motion for Summary Disposition relating to the NRC Staff's reliance on a straight-line Gaussian air dispersion plume model, an issue raised in New York State Contention 16/16A.¹ Neither the NRC Staff nor the Applicant, Entergy Nuclear Operations, Inc., objected to this request.²

The Board grants the request. New York State may file its proposed Motion for Summary Disposition on or before August 28, 2009.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD³

/RA/

Lawrence G. McDade, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
August 18, 2009

¹ Motion for Extension of Time for the State of New York to Seek Summary Disposition on a Fundamental Issue Raised by Contention 16/16A (Aug. 13, 2009).

² Id. at 3.

³ 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 Riverkeeper, Inc.; (5) Manna Jo Green, the Representative for Clearwater; (6) Counsel for the State of Connecticut; (7) Counsel for Westchester County; (8) Counsel for the Town of Cortlandt; (9) Mayor Alfred J. Donahue, the Representative for the Village of Buchanan; and (10) Counsel for the New York City Economic Development Corporation.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing ORDER (GRANTING NEW YORK STATE'S MOTION FOR EXTENSION OF TIME) 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-LR and 50-286-LR
 ORDER (GRANTING NEW YORK STATE'S MOTION FOR EXTENSION OF TIME)

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Docket Nos. 50-247-LR and 50-286-LR
ORDER (GRANTING NEW YORK STATE'S MOTION FOR EXTENSION OF TIME)

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[Original signed by Christine M. Pierpoint]

Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 18th day of August 2009