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DOCKETED

March 22 2010 (2:45pm)

OFFICE OF SECRETARY RULEMAKINGS AND ADJUDICATIONS STAFF

UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)		50-247-LR and 50-286-LR
ENTERGY NUCLEAR OPERATIONS, INC.	·)	•	30 200 EIC
(Indian Point Nuclear Generating Units 2 and 3)	:)	March 22, 201	0
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NOTICE OF SCREENING

Notice is hereby given of the actions taken by Morgan, Lewis & Bockius LLP ("The Firm") pursuant to D.C. Rules of Professional Conduct 1.11 to screen Karen D. Cyr from the above-captioned proceeding. The actions taken by the Firm are described in the attached letter dated March 8, 2010 to Stephen G. Burns, General Counsel and Designated Agency Ethics Official, U.S. Nuclear Regulatory Commission.

Respectfully submitted,

Kathryn M. Sutton, Esq. Paul M. Bessette, Esq.

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COUNSEL FOR ENTERGY NUCLEAR OPERATIONS, INC.

Dated in Washington, D.C. this 22nd day of March 2010

Morgan, Lewis & Bockius LLP 1111 Pennsylvania Avenue, NW Washington, DC 20004 Tel: 202.739.3000

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Jay M. Gutierrez 202-739-5466 jgutierrez@morganlewis.com

March 8, 2010

Mr. Stephen G. Burns General Counsel and Designated Agency Ethics Official U.S. Nuclear Regulatory Commission 11555 Rockville Pike Rockville, MD 20852

Re: NOTICE PURSUANT TO DISTRICT OF COLUMBIA BAR RULE 1.11

Dear Mr. Burns:

Morgan, Lewis & Bockius LLP ("The Firm") hereby provides notice to you as the Designated Ethics Official for the U.S. Nuclear Regulatory Commission, of actions taken by the Firm pursuant to District of Columbia Bar Rule 1.11.

As you know, Karen D. Cyr joined the Firm as a Senior Counsel within our Firm's Energy Practice, on January 4, 2010. Prior to joining the Firm, Ms. Cyr served as General Counsel in the Office of the General Counsel, U.S. Nuclear Regulatory Commission, and in that capacity, she has advised us, she participated personally and substantially (or may be perceived as having done so) in the following matters pending before the U.S. Nuclear Regulatory Commission, including its Atomic Safety and Licensing Boards in which the Firm has entered an appearance:

- Cogema Mining Inc. (Irigaray and Christensen Ranch Facilities), Docket No. 40-08502-MLR
- EnergySolutions, Inc. (Radioactive Waste Import/Export Licenses), Docket Nos. 110-05711 (Import) and 110-05710 (Export)
- Entergy Nuclear Operations, Inc. (Indian Point Nuclear Generating Units 2 and 3), Docket Nos. 50-247-LR and 50-286-LR
- Luminant Generation Company, LLC (Comanche Peak Nuclear Power Plant, Units 3 and 4), Docket Nos. 52-034-COL and 52-035-COL.



- Shaw AREVA MOX Services, LLC (Mixed Oxide Fuel Fabrication Facility Possession and Use License), Docket No. 70-3098
- South Carolina Electric and Gas Co. and South Carolina Public Service Authority (Also Referred to as Santee Cooper) (Virgil C. Summer Nuclear Station, Units 2 and 3), Docket Nos. 52-027-COL and 52-028-COL
- Southern Nuclear Operating Co. (Vogtle Electric Generating Plant, Units 3 and 4), Docket Nos. 52-025-COL and 52-026-COL
- South Texas Project Nuclear Operating Co. (South Texas Project Units 3 and 4), Docket Nos. 52-012-COL and 52-013-COL
- Tennessee Valley Authority (Bellefonte Nuclear Power Plant, Units 1 and 2), Docket Nos. 50-438-CP and 50-439-CP
- Tennessee Valley Authority (Bellefonte Nuclear Power Plant, Units 3 and 4), Docket Nos. 52-014-COL and 52-015-COL
- U.S. Department of Energy (High Level Waste Repository), Docket No. 63-001-HLW

In light of Ms. Cyr's involvement in these matters, the Firm has taken the following actions:

- 1. Ms. Cyr has been and will be screened from all participation in the foregoing matters. The Firm's File Room personnel have been instructed not to grant Ms. Cyr access to the files relating to these matters, and the applicable files have been or will be labeled accordingly. She will not share in any fees attributable to these matters. Moreover, Ms. Cyr has not revealed any information regarding the noted matters that she obtained while General Counsel in the NRC's Office of the General Counsel to anyone in the Firm.
- 2. The Firm has represented the above-described clients in the noted matters before Ms. Cyr joined the firm, as the Firm had a pre-existing Nuclear Energy Practice prior to the arrival of Ms. Cyr.

Mr. Stephen G. Burns March 8, 2010 Page 3



I attest that all affiliated lawyers are aware of the requirement that Ms. Cyr be screened from participating in or discussing the above-noted matters and representation.

Copies of this Notice will be served on all of the participants in the above listed proceedings in which the Firm has entered an appearance.

Sincerely,

Jay M. Gutierrez

Morgan, Lewis & Bockius LLP

Pursuant to District of Columbia Bar Rule 1.11(d), I attest that I will not participate in any manner in the above-described matters or representations, will not discuss them with any partner, associate or of counsel at the Firm, and will not share in any fees for those matters or representations.

Karen D. Cyr

cc: C. D'Agostino

Annette Vietti-Cook, Secretary, U.S. NRC

UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of		Docket Nos. 50-247-LR and 50-286-LR
ENTERGY NUCLEAR OPERATIONS, INC.)	30 200 ER
(Indian Point Nuclear Generating Units 2 and 3))	March 22, 2010

CERTIFICATE OF SERVICE

I hereby certify that copies of the "Notice of Screening" dated March 22, 2010, were served this 22nd day of March, 2010 upon the persons listed below, by first class mail and e-mail as shown below.

Administrative Judge Lawrence G. McDade, Chair Atomic Safety and Licensing Board Panel Mail Stop: T-3 F23 U.S. Nuclear Regulatory Commission Washington, DC 20555-0001 (E-mail: lgm1@nrc.gov)

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Richard E. Wardwell
Atomic Safety and Licensing Board Panel
Mail Stop: T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
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(E-mail: ocaamail@nrc.gov)

Administrative Judge
Kaye D. Lathrop
Atomic Safety and Licensing Board Panel
190 Cedar Lane E.
Ridgway, CO 81432
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Office of the Secretary*
Attn: Rulemaking and Adjudications Staff
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
(E-mail: hearingdocket@nrc.gov)

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^{*} Original and 2 copies provided to the Office of the Secretary.

Respectfully submitted,

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