

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. 50-247-LR and 50-286-LR

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

February 1, 2011

ORDER

(Extending Page Limits and Establishing Deadline for Filing Responses to Waiver Petition)

Applicant, Entergy Nuclear Operations, Inc. (Entergy), has filed a two-part Unopposed Joint Motion on its own behalf and on behalf of the NRC Staff.¹ Entergy and the NRC Staff first ask us to create a specific exception to paragraph G.1 of our July 1, 2010 Scheduling Order, by enlarging the page limit from twenty-five to forty, “insofar as it may apply to any consolidated responses and cross-motions for summary disposition on Consolidated Contention NYS-35/36 to be filed by Entergy and/or the NRC Staff on February 3, 2011.”² Entergy and the NRC Staff also seek the establishment of February 18, 2011, as the deadline for filing responses to a specific portion of the January 24, 2011 filing of Intervenor State of New York.³ Because Entergy’s Motion was timely filed, is unopposed, includes a “good faith estimate of the additional

¹ Unopposed Joint Motion of Applicant and NRC Staff for Licensing Board Order Approving Enlargement of Page Limitation and Establishing Filing Deadline (Jan. 27, 2011).

² Id. at 1.

³ Id. This specific portion of that filing is a document entitled “State of New York’s Request for a Determination that the Proposed Amended Bases for Contention 17A Are Not Barred by 10 C.F.R. § 51.23(b), or that Exemption from the Requirements of 10 C.F.R. § 51.23(b) Should Be Granted, or that the State Has Made a Prima Facie Case that § 51.23(b) Should Be Waived as Applied to Contention 17B.”

pages that will be filed,” and has demonstrated good cause in the form of judicial economy and efficiency for both the page limit and the deadline establishment, the Board hereby grants Entergy’s and the NRC Staff’s Unopposed Joint Motion.⁴

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD⁵

/RA/

Lawrence G. McDade, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
February 1, 2011

⁴ See Licensing Board Scheduling Order (July 1, 2010) at 6 (unpublished).

⁵ Copies of this Order were sent this date by Internet e-mail to: (1) Counsel for the NRC Staff; (2) Counsel for Entergy Nuclear Operations, Inc.; (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 Sean Murray, the Representative for the Village of Buchanan; and (10) Michael J. Delaney, counsel for the City of New York.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
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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 (Extending Page Limits and Establishing Deadline for Filing Responses to Waiver Petition) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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Washington, DC 20555-0001

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Docket Nos. 50-247-LR and 50-286-LR
ORDER (Extending Page Limits and Establishing Deadline for Filing Responses to Waiver
Petition)

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Docket Nos. 50-247-LR and 50-286-LR
ORDER (Extending Page Limits and Establishing Deadline for Filing Responses to Waiver
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[Original signed by Christine M. Pierpoint]
Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 1st day of February 2011