

May 16, 2011

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

CORRECTION TO APPENDIX A TO  
NRC STAFF'S ANSWER TO THE STATE OF NEW YORK'S  
MOTION TO COMPEL THE PRODUCTION OF DOCUMENTS

On May 9, 2011, the NRC Staff ("Staff") filed the "NRC Staff's Answer to the State of New York's Motion to Compel the Production of Documents" ("Answer"). Attached to the Staff's Answer were various documents, including Appendix A (listing potentially responsive documents which the Staff had previously identified and withheld under the deliberative process privilege – some of which were designated in Appendix A as also protected from disclosure by the attorney-client and/or work product privileges). On May 12, 2011, the Staff informed the Atomic Safety and Licensing Board ("Board") that it had discovered certain errors in Appendix A to the Staff's Answer;<sup>1</sup> on May 13, 2011, the Staff informed the Board of seven corrections that should be made to Appendix A, and stated that the Staff would file a corrected Appendix A on May 16, 2011.<sup>2</sup> Specifically, the Staff indicated that it would make the following corrections to Appendix A:

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<sup>1</sup> See Letter from Sherwin E. Turk to the Board (May 12, 2011).

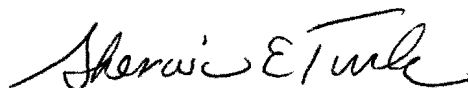
<sup>2</sup> See Letter from Sherwin E. Turk to the Board (May 13, 2011).

Appendix A ID Number	Document ML Number	Document Date	Correction
DPP-26-017	ML110590928	01/31/2011	DPP-26-012
DPP-26-019	ML11082A036	02/22/2010	Publicly available in ADAMS
DPP-26-020	ML11082A038	02/22/2010	Publicly available in ADAMS
DPP-26-021	ML11082A039	02/22/2010	Publicly available in ADAMS
DPP-26-023	ML11082A032	12/11/2009	DPP-26-017
DPP-26-030	ML11077A021	01/14/2009	DPP-26-024
DPP-26-031	ML11077A022	01/14/2009	DPP-26-025

Letter of May 13, 2011, at 2.

The Staff herewith submits Appendix A (Corrected 05/16/11), incorporating the changes specified in the Staff's letter of May 13, 2011. In addition, the Staff is herewith providing to each member of the Board and the Board's Law Clerk, for the Board's in camera review, a CD containing the documents identified in Appendix A, as corrected.

Respectfully submitted,



Sherwin E. Turk  
Special Counsel for Litigation  
Office of the General Counsel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555  
(Counsel for NRC Staff)

Dated at Rockville, Maryland  
this 16<sup>th</sup> day of May 2011

**Appendix A (Corrected 05/16/11) - Indian Point License Renewal In Camera Hearing File  
Deliberative Process Documents Previously Withheld Under Privilege**

ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Page Count	Privilege <sup>1</sup>
DPP-00-037	ML073510192	Bruce Mrowca/ ISL, Inc.	2007/09/12 Indian Point LR Hearing - IP2 Draft RAIs	09/12/2007	E-Mail	Ali Azama/ ISL, Inc.	Internal transmission of draft RAIs regarding SAMAs	6	DP
DPP-00-039	ML073510199	Bruce Mrowca/ ISL, Inc.	2007/09/17 Indian Point LR Hearing - IP2/3 SAMA Draft RAIs	09/17/2007	E-Mail	Robert Palla/ NRC/NRR	Internal transmission of draft RAIs regarding SAMAs	11	DP
DPP-00-053	ML073511773	Robert Palla/ NRC/NRR	2007/10/04 Indian Point LR Hearing - IP2 and 3 SAMA RAIs	10/04/2007	E-Mail	Bruce Mrowca/ ISL, Inc.	Internal transmission of draft SAMA RAIs with comments	9	DP
DPP-00-057	ML073511764	Bruce Mrowca/ ISL, Inc.	2007/10/09 Indian Point LR Hearing - Re: IP2 and 3 SAMA RAIs	10/09/2007	E-Mail	Robert Palla/ NRC/NRR	Internal transmission draft SAMA RAIs with comments	10	DP
DPP-00-084	ML073511839	Robert Palla/ NRC/NRR	2007/11/19 Indian Point LR Hearing - Fwd: Re: Conf Call on GI-199, Indian Point, NY AG Press Release	11/19/2007	E-Mail	Bruce Mrowca, Ali Azam, ISL, Inc.;Diane Mlynarczyk/ PNL	Internal comment regarding NRC's seismic analysis	2	DP

<sup>1</sup> AC – Attorney Client Privilege  
WP – Work Product Doctrine  
DP – Deliberative Process Privilege

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DPP-00-155	ML080770254	Robert Palla/ NRC/NRR	2008/03/04 Indian Point LR Hearing - EPRI Documents related to TI-SGTR	03/04/2008	E-Mail	Bruce Mrowca, Ali Azarn (ISL, Inc.)	Email contains internal discussion of IP SAMA review; attachment contains proprietary information being withheld from public disclosure under 10 CFR 2.390(a)(4) – see ML073390146	217	DP
DPP-00-161	ML080770251	Bruce Mrowca/ ISL, Inc.	2008/03/05 Indian Point LR Hearing - Indian Point Follow-up RAls	03/05/2008	E-Mail	Robert Palla/ NRC/NRR	Internal transmission of draft RAls	3	DP
DPP-00-168	ML080770222	Robert Palla/ NRC/NRR	2008/03/13 Indian Point LR Hearing - Follow-up RAls Rev 1	03/13/2008	E-Mail	Andrew Stuyvenberg(NR C/NRR)/ Bruce Mrowca (ISL, Inc.)	Internal transmission of draft RAls	4	DP
DPP-00-191	ML081000275	Robert Palla/ NRC/NRR	2008/04/01 Indian Point LR Hearing - RE: Comments on the BVPS RAI Responses	04/01/2008	E-Mail	Ali Azarn/ ISL, Inc.	Internal discussion regarding economic impacts	2	DP
DPP-00-302	ML081970307	Bruce Mworca, ISL Inc.	2008/06/05 Indian Point LR Hearing - IP Draft SAMA SER	06/05/2008	E-Mail	Robert Palla/ NRC/NRR Ali Azarn, Diane Mlynarczyk/ ISL, Inc.	Internal transmission of draft SER input on SAMAs	42	DP

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DPP-00-309	ML081970305	Robert Palla/ NRC/NRR	2008/06/11 Indian Point LR Hearing - IP SAMA- Draft SER Rev 0.doc	06/11/2008	E-Mail	Bruce Mrowca/ ISL, Inc.	Internal transmission of draft SER Appendix G (SAMA)	40	DP
DPP-00-314	ML081970303	Robert Palla/ NRC/NRR	2008/06/12 Indian Point LR Hearing - IP SAMA- Draft SER Rev 0.doc	06/12/2008	E-Mail	Ali Azarn/ ISL, Inc.	Internal transmission of draft SER Appendix G (SAMA)	80	DP
DPP-00-315	ML081970301	Ali Azarn/ ISL, Inc.	2008/06/13 Indian Point LR Hearing - suggested mods to draft SER per your comments	06/13/2008	E-Mail	Robert Palla (NRC/NRR)/ Bruce Mrowca (ISL, Inc.)	Internal transmission of draft SER Appendix G (SAMA)	41	DP
DPP-00-327	ML081970300	Robert Palla/ NRC/NRR	2008/06/23 Indian Point LR Hearing - RE: IP SAMA- Draft SER Rev 0.doc	06/23/2008	E-Mail	Bruce Mrowca/ ISL, Inc.	Internal discussion of contents of draft SER Appendix G (SAMA)	2	DP
DPP-00-380	ML082530023	Robert Palla/ NRC/NRR	2008/07/24 Indian Point LR Hearing - IP SAMA SER	07/24/2008	E-Mail	Bruce Mrowca (ISL, Inc.)/ Steve Short (PNL)	Internal transmission of draft SEIS section (SAMA)	48	DP
DPP-09-02	ML092720329	R. Palla NRC/NRR	2009/03/02 Indian Point LR Hearing - FW: State of New York dSEIS Contentions and Supporting Documents	03/02/2009	E-Mail	J. Jones, NRC Contractor (Sandia); A. Stuyvenberg, J. Mitchell, NRC/NRR	Internal transmission of comments re: the EIS	62	DP, WP

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DPP-09-03	ML092720289	J. Ramsdell NRC/Contractor (PNL)	2009/08/24 Indian Point LR Hearing - RE: Use of MACCS2 Code for Indian Point License Renewal - ASLB Decision - FYI	08/24/2009	E-Mail	J. Lee, B. Zalcman, R. Emch, N. Chokshi, R. Palla, NRC/NRR	Internal transmission of comments re: the EIS	3	DP
DPP-09-05	ML092660503	R. Palla, NRC/NRR	2009/09/23 Indian Point LR Hearing - General Discussion Regarding SAMA Analysis *** Attorney Client Privilege***	09/23/2009	E-Mail	B. Harris, NRC/OGC; J. Jones, NRC Contractor (Sandia)	Internal transmission of comments re: the EIS	6	DP, AC, WP
DPP-09-08	ML092720210	R. Palla NRC/NRR	2009/09/29 Indian Point LR Hearing - FW:	09/29/2009	E-Mail	J. Jones, N. Bixler, NRC Contractor (Sandia); A. Stuyvenberg, T. Ghosh, NRC/NRR; B. Mizuno, NRC/OGC	Internal Transmission of Comments re: the EIS	85	DP, WP
DPP-010-001	ML093160012	J. Jones, NRC/Contractor (Sandia)	2009/10/27 Indian Point LR Hearing - Indian Point Weather	10/27/2009	E-Mail	R. Palla NRC/NRR	Internal Transmission of Comments Regarding the EIS	4	DP
DPP-010-002	ML093000388	R. Palla NRC/NRR	2009/10/27 Indian Point LR Hearing - Tables	10/27/2009	E-Mail	J. Jones, NRC/Contractor (Sandia)	Internal Transmission of Comments Regarding the EIS	5	DP WP
DPP-010-003	ML093010020	R. Palla NRC/NRR	2009/10/28 Indian Point LR Hearing - FW: Indian Point Weather	10/28/2009	E-Mail	A. Stuyvenberg, NRC/NRR	Internal Transmission of Comments Regarding the EIS	4	DP WP

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DPP-010-004	ML093160015	J. Jones, NRC/Contractor (Sandia)	2009/10/28 Indian Point LR Hearing - RE: Table Comparing Population in ER vs SECPOP	10/28/2009	E-Mail	R. Palla NRC/NRR	Internal Transmission of Comments Regarding the EIS	2	DP WP
DPP-010-005	ML093010132	R. Palla NRC/NRR	2009/10/28 Indian Point LR Hearing - Table Comparing Population in ER vs SECPOP	10/28/2009	E-Mail	J. Jones, N. Bixler, NRC/Contractor (Sandia)	Internal Transmission of Comments Regarding the EIS	3	DP WP
DPP-010-006	ML093160014	J. Jones, NRC/Contractor (Sandia)	2009/10/28 Indian Point LR Hearing - Wind Discussion	10/28/2009	E-Mail	R. Palla NRC/NRR	Internal Transmission of Comments Regarding the EIS	4	DP WP
DPP-010-007	ML093160018	J. Jones, NRC/Contractor (Sandia)	2009/10/29 Indian Point LR Hearing - Indian Point Weather	10/29/2009	E-Mail	R. Palla NRC/NRR, N. Bixler, NRC/Contractor (Sandia)	Internal Transmission of Comments Regarding the EIS	4	DP WP
DPP-010-009	ML093020493	R. Palla NRC/NRR	2009/10/29 Indian Point LR Hearing - Weather Runs 10 29 09.doc	10/29/2009	E-Mail	A. Stuyvenberg, NRC/NRR	Internal Transmission of Comments Regarding the EIS	4	DP WP
DPP-010-011	ML093160020	J. Jones, NRC/Contractor (Sandia)	2009/11/02 Indian Point LR Hearing - Indian Point	11/02/2009	E-Mail	R. Palla NRC/NRR Bixler, NRC/Contractor (Sandia)	Internal Transmission of Comments Regarding the EIS	2	DP WP

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DPP-010-012	ML093160021	J. Jones, NRC/Contract or (Sandia)	2009/11/02 Indian Point LR Hearing - Task I	11/02/2009	E-Mail	R. Palla NRC/NRR	Internal Transmission of Comments Re: EIS and Contentions, draft FSEIS insert of impact of IP contentions on SAMA	19	DP WP
DPP-14-003	ML100770511	R. Palla, NRC/NRR	2010/03/18 Indian Point LR Hearing - Indian Point MACCS2 Calculation Matrix	03/18/2010	E-Mail	Tina Ghosh, NRC/NRR; J. Jones, SNL	Transmission of internal discussion regarding SEIS; draft matrix calculation for internal review of impact of IP contentions on SAMA	3	DP, WP
DPP-18-005	ML101800548	J. Jones SNL	2010/02/08 Indian Point LR Hearing - Indian Point Task I Report - Deliverable	02/08/2010	E-Mail	R. Palla, A. Stuyvenberg, B. Grenier, T. Ghosh, NRC/NRR	Discussion of Draft responses to DSEIS Comments; draft report of impact of IP SAMA contentions on Entergy SAMAs	22	DP, WP
DPP-18-006	ML101800550	J. Jones SNL	2009/12/08 Indian Point LR Hearing - Task I	12/08/2009	E-Mail	R. Palla, NRC/NRR	Discussion of Draft responses to DSEIS Comments; draft report of impact of IP SAMA contentions on Entergy SAMAs	22	DP, WP



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DPP-25-045	ML110310331	J. Jones, Sandia	2009/12/16 Indian Point LR Hearing - RE: IPEC Letter NL-09-165 - SAMA Reanalysis Using Alternate Meteorological Tower Data	12/16/2009	E-Mail	A.Stuyvenberg and R. Palla, NRC/NRR	Internal discussion of Met data  (author's opinion about if Entergy submission provided information needed by author, and if weather inputs used by Entergy meet author's expectations )	2	DP WP
DPP-26-012	ML110590928	T Ghosh, NRC/RES	2011/01/31 Indian Point LR Hearing - FW: Modeling Review - Indian Point	01/31/2011	E-Mail	A. Stuyvenberg, NRC/NRR	Internal analysis of alternative modeling	15	DP WP
DPP-26-017	ML11082A032	A. Stuyvenberg, NRC/NRR	2009/12/11 Indian Point LR Hearing - FW: IPEC Letter NL-09-165 - SAMA Reanalysis Using Alternate Meteorological Tower Data	12/11/2009	E-Mail	R. Palla, NRC/NRR; J. Jones, SNL	Internal discussion of SAMA analysis	212	DP, WP
DPP-26-024	ML11077A021	R Palla, NRC/NRR/DR A	2009/01/14 Indian Point LR Hearing - Background Info Re: IP SAMA Contentions	01/14/2009	E-Mail	J. Jones, Sandia National Labs (SNL)	Internal discussion on admitted contention support	583	DP WP
DPP-26-025	ML11077A022	R Palla, NRC/NRR/DR A	2009/01/14 Indian Point LR Hearing - Background Info Re: IP SAMA Contentions	01/14/2009	E-Mail	J. Jones, Sandia National Labs (SNL)	Internal discussion on admitted contention support	583	DP WP

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DPP-27-016	ML11117A962	N. Bixler, Sandia	2009/12/07 Indian Point LR Hearing - RE: Indian Point decon costs	12/07/2009	E-Mail	J. Jones; J. Schelling, Sandia	Internal discussion on decontamination  Draft Report on Decontamination Costs	5	DP, WP
DPP-27-017	ML11117A963	N. Bixler, Sandia	2009/12/08 Indian Point LR Hearing - RE: decon costs	12/08/2009	E-Mail	J. Jones, Sandia	Internal discussion on decontamination  Draft Report Analyzing Contentions Raised by NYS in Hearing	25	DP, WP
DPP-27-018	ML11117A964	N. Bixler, Sandia	2009/12/17 Indian Point LR Hearing - Emailing: NationalPopulationProjection2008-t1.xls, StatePopulationProjections2008-01.xls	12/17/2009	E-Mail	J. Jones; J. Schelling, Sandia	Internal discussion on population growth  Draft Analysis of NYS' population growth	12	DP, WP
DPP-27-019	ML11117A969	N. Bixler, Sandia	2009/12/17 Indian Point LR Hearing - RE: IP next question	12/17/2009	E-Mail	J. Jones, Sandia	Internal discussion on atmospheric modeling  Draft Analysis of meteorological modeling performance characteristics	3	DP, WP

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DPP-27-020	ML11117A970	N. Bixler, Sandia	2009/12/21 Indian Point LR Hearing - RE: IP Population Estimate	12/21/2009	E-Mail	J. Jones; J. Schelling, Sandia	Internal discussion on population growth and modeling  Draft Analysis of NYS' contentions raised during the Hearing	24	DP, WP
DPP-27-021	ML11117A971	N. Bixler, Sandia	2009/12/23 Indian Point LR Hearing - RE: Indian Point	12/23/2009	E-Mail	J. Jones, Sandia	Internal discussion on draft responses  Draft Analysis of NYS' contentions raised during the hearing	24	DP, WP

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing "CORRECTION TO APPENDIX A TO NRC STAFF'S ANSWER TO THE STATE OF NEW YORK'S MOTION TO COMPEL THE PRODUCTION OF DOCUMENTS," dated May 16, 2011, together with "Appendix A (Corrected 05/16/11)," have been served upon the following through deposit in the NRC's internal mail system, or by deposit in the U.S. Postal Service, as indicated by an asterisk, with copies by electronic mail, and that CDs containing the documents listed in Appendix A (as corrected) have been served upon members of the Board and the Board's Law Clerk, this 16<sup>th</sup> day of May, 2011:

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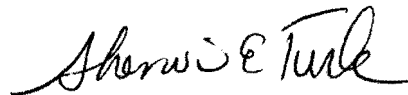
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