



OFFICE OF THE
GENERAL COUNSEL

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

May 25, 2011

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

Dear Administrative Judges:

In accordance with my letter of May 20, 2011, following the prehearing teleconference of May 19, 2011, I discussed with Counsel for the State of New York ("State") the documents which the NRC Staff ("Staff") is willing to produce in response to the State's motion to compel ("Motion"), dated April 22, 2011.

I am pleased to report to the Atomic Safety and Licensing Board ("Board") that the Staff and the State have reached agreement on this matter. Specifically, the Staff has agreed to produce the following documents in response to the State's Motion:

From Appendix A:

DPP-010-009

DPP-018-005— except the discussion on pages 15-16, regarding potential work to prepare for hearings ("Follow On Approach")

DPP-26-012

DPP-27-018

From Appendix C:

NIA-050

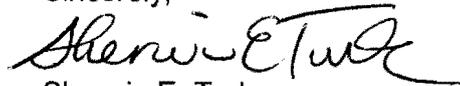
From Appendix C-1:

NIA-075	NIA-091
NIA-076	NIA-092
NIA-077	NIA-093
NIA-078	NIA-094
NIA-079	NIA-095
NIA-080	NIA-096
NIA-081	NIA-097
NIA-082	NIA-098
NIA-083	NIA-099
NIA-084	NIA-100
NIA-085	NIA-101
NIA-086	NIA-102
NIA-087	NIA-103
NIA-088	NIA-105
NIA-089	NIA-107
NIA-090	

In accordance with this agreement, I have agreed to transmit to the State a CD containing electronic copies of these documents. As I stated during the prehearing teleconference, in producing these documents, the Staff does not waive any privilege(s) which it has previously asserted with respect to the disclosure of these or any other documents. Nonetheless, in order to facilitate the parties' use of these documents in the preparation of testimony and at hearing, the Staff will consider making these documents publicly available and will report its decision on this matter shortly.

Counsel for the State has authorized me to represent that the Staff's production of the above-listed documents resolves the substantive issues that were raised in its Motion, such that the Motion may be dismissed upon the Staff's production of those documents. The State, however, reserves its right to challenge any privilege designations which the Staff may assert over the produced documents that may result in their restricted use in testimony or at hearing.

Sincerely,



Sherwin E. Turk
Counsel for NRC Staff

cc: Service List