

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
Entergy Nuclear Generation Co. and)	
Entergy Nuclear Operations, Inc.)	Docket No. 50-239-LR
)	
)	
(Pilgrim Nuclear Power Station))	

NRC STAFF'S UNOPPOSED MOTION FOR AN EXTENSION TO SEPTEMBER 6, 2011,
TO FILE A RESPONSE TO THE COMMONWEALTH OF MASSACHUSETTS' MOTION

Pursuant to 10 C.F.R. § 2.323(c), the NRC staff ("Staff") hereby requests an extension to September 6, 2011, for all parties to file their Answer to the "Commonwealth of Massachusetts' Motion to Supplement Bases to Commonwealth Contention to Address NRC Task Force Report on Lessons Learned from the Radiological Accident at Fukushima" ("Commonwealth's Motion") on August 11, 2011. In support of this request, the Staff respectfully states as follows:

1. The Commonwealth's Motion seeks to supplement the bases to its June 2, 2011 contentions. The supplemental bases relate to the NRC's July 12, 2011 Near-Term Task Force Report ("Task Force Report") regarding the events at Fukushima Daiichi. The Staff has also been served with new contentions in 17 license renewal and combined operating license ("COL") proceedings.¹ The stated basis for these new contentions is the release of the Task

¹ For license renewal proceedings, the Staff has been served with a new contention in Seabrook, Indian Point, Davis-Besse, and Diablo Canyon. "Beyond Nuclear Contention Regarding NEPA Requirement to Address Safety and Environmental Implications of the Fukushima Task Force Report" (Aug. 11, 2011) (ADAMS Accession No. ML11223A376); "Riverkeeper, Inc. And Hudson River Sloop Clearwater, Inc. New Contention Regarding NEPA Requirement To Address Safety And Environmental Implications Of The NRC Fukushima Task Force Report" (Aug. 11, 2011)(Unpublished); "Beyond Nuclear's Contention in Support of Motion to Admit New Contention Regarding the Safety and (continued. . .)

Force Report on July 12, 2011. The majority of the new contentions in these other proceedings were served on the Staff on August 12, 2011. As a result, pursuant to 10 C.F.R. § 2.309(h)(1), the Staff's responses to the new contentions in those proceedings is due September 6, 2011.

(. . .continued)

Environmental Implications of the Nuclear Regulatory Commission Task Force Report on the Fukushima Dai-Ichi Accident" (Aug. 11, 2011) (ADAMS Accession No. ML11224A000); "SLOMFP Motion To Admit New Contention Regarding The Safety And Environmental Implications Of The Nuclear Regulatory Commission Task Force Report On The Fukushima Dai-Ichi Accident" (Aug. 11, 2011)(Unpublished) . For operating licensing proceedings, the Staff was served with a new contention in Watts Bar Unit 2. "SACE Motion to Admit New Contention Regarding the Safety and Environmental Implications of the Nuclear Regulatory Commission Task Force Report on the Fukushima Dai-ichi Accident" (Aug. 11, 2011) (ADAMS Accession No. ML11223A291). For COL proceedings, the Staff has been served 3 supplements to party's previous petition seeking a emergency suspension of licensing decisions (Harris, V.C. Summer, and North Anna) and a new contention in 10 proceedings (Bell Bend, Calvert Cliffs, Turkey Point, Vogtle, Lee, Commanche. South Texas, Bellefonte). "Supplemental Comments by NC WARN in Support of Emergency Petition Regarding NEPA Requirement to Address Safety and Environmental Implications of the Fukushima Task Force Report" (Aug. 11, 2011) (ADAMS Accession No. ML11222A243); "Supplemental Comments by Friends of the Earth and the South Carolina Chapter of the Sierra Club in Support of Emergency Petition Regarding NEPA Requirement to Address Safety and Environmental Implications of the Fukushima Task Force Report" (Aug. 10, 2011) (ADAMS Accession No. ML11222A294); "Supplemental Comments By The Blue Ridge Environmental Defense League In Support Of Emergency Petition Regarding NEPA Requirement To Address Safety And Environmental Implications Of The Fukushima Task Force Report" (Aug. 11, 2011) (Unpublished); "Contention Regarding NEPA Requirement To Address Safety And Environmental Implications Of The Fukushima Task Force Report" (Aug. 11, 2011) (Unpublished); "New Contention Regarding NEPA Requirement to Address Safety & Environmental Implications of the Fukushima Task Force Report" (Aug. 11, 2011) (ADAMS Accession No. ML11223A346); "Contention Regarding NEPA Requirement To Address Safety And Environmental Implications Of The Fukushima Task Force Report" (Aug. 11, 2011) (Unpublished); "Contention Regarding NEPA Requirement To Address Safety And Environmental Implications Of The Fukushima Task Force Report" (Aug. 11, 2011) (Unpublished); "Motion to Reopen and Admit Contention to Address the Safety and Environmental Implications of the Nuclear Regulatory Commission Task Force Report on the Fukushima Dai-Ichi Accident" (Aug. 11, 2011) (ADAMS Accession No. ML11223A043); "Motion to Reopen the Record and Admit Contention Regarding the Safety and Environmental Implications of the Nuclear Regulatory Commission Task Force Report on the Fukushima Dai-Ichi Accident" (Aug. 11, 2011) (ADAMS Accession No. ML11223A481); "Motion to Admit New Contention Regarding the Safety and Environmental Implications of the Nuclear Regulatory Commission Task Force Report on the Fukushima Dai-Ichi Accident" (Aug. 11, 2011) (ADAMS Accession No. ML11223A486); "Contention re NEPA Requirement to Address Safety & Environmental Implications of Fukushima Task Force Report" (Aug. 11, 2011) (ADAMS Accession No. ML11223A475); "Contention Regarding NEPA Requirement to Address Safety and Environmental Implications of the Fukushima Task Force Report" (Aug. 11, 2011) (ADAMS Accession No. ML11223A469); "BREDL/SACE Motion to Admit New Contention Regarding the Safety and Environmental Implications of the Nuclear Regulatory Commission Task Force Report On the Fukushima Dai-Ichi Accident" (Aug. 11, 2011) (ADAMS Accession No. ML11223A485).

2. The Commonwealth's Motion is substantially similar to the new contention filed in these other proceedings. 10 C.F.R. 2.323(c) requires the Staff and other parties to file answers to the Commonwealth's Motion within 10 days or no later than August 22, 2011. Due to the overlap of issues between the Commonwealth's Motion and the other new contentions, the need to coordinate the Staff's responses, and the breadth of the issues raised, the Staff needs additional time to reply to the Commonwealth's Motion. The normal ten day response time is insufficient for the Staff to complete its review, analysis, and coordinate the contention responses to ensure a consistent response by the Staff in each of these substantially similar filings. The Staff proposes that the time for filing the Staff's answer to the Commonwealth's Motion be extended to September 6, 2011, which is consistent with the answers to be filed in the other proceedings, would not result in any undue delay to the proceeding and would greatly aid the Atomic Safety and Licensing Board in this proceeding and other Board proceedings.

3. In accordance with 10 C.F.R. § 2.323(b), Staff counsel contacted counsel for the Commonwealth of Massachusetts and Entergy, and the representative of Pilgrim Watch regarding this motion. No one had an objection to the Staff's requested extension of time. In addition, counsel for Entergy requested that Entergy be afforded the same extension of time for the filing of its answer to Commonwealth's Motion. The Staff does not oppose that request, and understands that the Commonwealth of Massachusetts and Pilgrim Watch does not oppose Entergy's request.

Therefore, the Staff respectfully requests that this motion to extend the time for the parties to respond to the Commonwealth's Motion until September 6, 2011, be granted.

Respectfully Submitted,
/Signed Electronically By/
Brian G. Harris
Counsel for the NRC Staff

Dated at Rockville, Maryland
this 16th day of August, 2011

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
ENTERGY NUCLEAR OPERATIONS, INC.)	Docket No. 50-293-LR
)	
(Pilgrim Nuclear Power Station))	
)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing "NRC STAFF'S UNOPPOSED MOTION FOR AN EXTENSION TO SEPTEMBER 6, 2011, TO FILE A RESPONSE TO THE COMMONWEALTH OF MASSACHUSETTS' MOTION" have been served upon the following by the Electronic Information Exchange, with courtesy copies sent by electronic mail, this 16th day of August, 2011:

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/Signed Electronically By/

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