

February 9, 2012

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

CERTIFICATION OF COUNSEL FOR NRC STAFF'S RESPONSE IN
SUPPORT OF ENERGENCY'S MOTION IN LIMINE ON CONTENTION
CW-EC-3A (ENVIRONMENTAL JUSTICE)

In accordance with the Board's Scheduling Order of July 1, 2010 (at 8-9), and 10 C.F.R. § 2.323(b), the undersigned counsel hereby certifies that counsel for the NRC Staff has participated in discussion with Entergy Nuclear Operations, Inc. ("Entergy"), the movant, concerning Entergy's Motion in Limine on Contention CW-EC-3A (Environmental Justice), filed on January 30, 2012 in this matter, and have made a sincere effort to make themselves available to listen and respond to the movant and the Intervenors. Movant's counsel has given NRC Staff counsel to understand that efforts to resolve the issues have been unsuccessful.

Respectfully submitted,

/Signed (electronically) by/

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Executed in Accord with 10 CFR § 2.304(d)

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Dated at Rockville, Maryland
this 9th day of February 2012

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Certification of Counsel for NRC Staff's Response to Entergy's Motion in Limine on Contention CW-EC-3A (Environmental Justice), have been served upon the following persons by Electronic Information Exchange this 9th day of February, 2012:

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