



OFFICE OF THE
GENERAL COUNSEL

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

March 31, 2012
(1:00 AM)

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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:

I am writing to inform you that, in accordance with the Atomic Safety and Licensing Board's Order of February 16, 2012, on Thursday and Friday (March 29-30, 2012), the NRC Staff ("Staff") filed its statements of position, prefiled written testimony, and evidentiary exhibits on nine of the 11 contentions scheduled for hearing in this proceeding. Due to last minute difficulties, as of 12:00 AM this morning, the Staff had not yet submitted some or all of its evidentiary filings on Contentions NYS-26B (Metal Fatigue) and RK-TC-2 (Flow Accelerated Corrosion).¹ The Staff is finalizing its evidentiary presentations on those two contentions at this time, and expects to file those documents within the next two hours. A complete list of the Staff's exhibits (designated Exhibit NRC000001) will be filed when those submissions are complete.

I would like to bring two other matters to your attention. First, while the Staff has sought to comply, to the greatest extent possible, with the Board's directive that duplicative filings should be avoided, some of the Staff's exhibits may duplicate the submittals of other parties –

¹ It is possible, as well, that some of the Staff's filings on Contention NYS-37 (No Action Alternative) did not pass through the EIE portal until shortly after midnight.

Judge McDade
Judge Lathrop
Judge Wardwell

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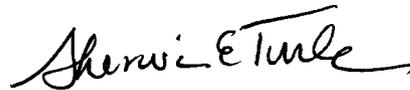
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particularly since the Staff and Entergy Nuclear Operations, Inc. ("Entergy") have been filing their evidentiary presentations on the same schedule.

Second, to avoid duplication, the Staff is not filing certain documents that it would otherwise be required to file under 10 C.F.R. § 2.337(g)(2) – specifically, the GEIS, the DSEIS, the FSEIS, and the ACRS letter, as well as the SER and SER Supplement 1. To meet the requirements of § 2.337(g)(2), the Staff has assigned each of those documents a unique NRC Staff exhibit number (e.g., the GEIS is assigned exhibit No. NRC000002). Each of those exhibits consists of a single page, in which the Staff incorporates the other party's parallel exhibit. For example, Exhibit NRC000002 (the GEIS) is a one-page document that cites and incorporates Exhibit NYS000131A-I (the GEIS). Out of an abundance of caution, the Staff has similarly treated its principal review documents – i.e., the GALL Report (Revisions 1 and 2), the SRP-LR, the ESRP and ESRP Supp. 1, and Regulatory Guide (RG) 4.2 and Supplement 1 thereto, to assure that those documents are received into evidence. Those one-page exhibits (13 in all) are being filed herewith (Exhibits NRC000002 through NRC000014).

The Staff is amenable to discussing with the Board and parties the means by which thee or any other duplicative exhibits may be eliminated.

Sincerely,



Sherwin E. Turk
Counsel for NRC Staff

Enclosures: As stated
Cc w/Encls: Service List