



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, DC 20555 - 0001

August 31, 2012

Administrative Judge  
Lawrence G. McDade, Chair  
Atomic Safety and Licensing Board Panel  
Mail Stop T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
Dr. Richard E. Wardwell  
Atomic Safety and Licensing Board Panel  
Mail Stop T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
Michael F. Kennedy  
Atomic Safety and Licensing Board Panel  
Mail Stop T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

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

Dear Administrative Judges:

Pursuant to the Atomic Safety and Licensing Board's December 18, 2008, "Memorandum and Order (Addressing Requests that the Proceeding be Conducted Pursuant to Subpart G)," slip op. at 13, and the Licensing Board's "Order (Granting Consent Motion Regarding Mandatory Disclosures)," dated January 30, 2009, at 1, the staff of the U.S. Nuclear Regulatory Commission ("Staff") herein notifies the Licensing Board and the parties that the hearing file has been supplemented for this proceeding. Materials in the hearing file may be accessed through the Agencywide Documents Access and Management System ("ADAMS"). An index containing the ADAMS accession number, date, and title or description of each item in Hearing File Index, Supplement 43 is appended hereto as Attachment 1.

On or about September 10, 2012, the documents identified in the hearing file will be made available via the Electronic Hearing Docket ("EHD"), which may be accessed at the following URL: [http://ehd.nrc.gov/EHD\\_Proceeding/home.asp](http://ehd.nrc.gov/EHD_Proceeding/home.asp). The hearing file will be contained in a sub-folder entitled, "Indian PT Hearing File, Supplement 43" in the "Indian\_PT\_2&3\_50-247&50-286-LR" folder of the EHD.

In addition, as required by 10 C.F.R. § 2.336(b)(5), the Staff is producing a privilege log, identifying documents withheld under the deliberative process privilege, which is appended hereto as Attachment 2. Also attached is the Declaration of Melanie A. Galloway formally invoking the deliberative process privilege with respect to the documents in Attachment 2.

Judge McDade  
Judge Kennedy  
Judge Wardwell

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August 31, 2012

The Staff will preserve and maintain the privileged documents identified in the log during the pendency of this proceeding.

Further, pursuant to 10 C.F.R. § 2.336(c), attached is the Affidavit of Michael J. Wentzel, certifying that all relevant materials required by this section have been disclosed, and that the disclosures are accurate and complete as to documents identified by August 22, 2012.

Finally, the NRC Staff notes that it has made a good faith effort to identify and characterize all documents meeting the criteria of 10 C.F.R. § 2.336(b) and 10 C.F.R. § 2.1203 in this proceeding. In identifying these documents, the Staff does not concede their relevance to the license renewal issues to be decided in this proceeding.

Sincerely,

**Signed (electronically) by**  
Brian G. Harris  
Counsel for NRC Staff

Enclosures: Attachment 1 - Hearing File Index, Supplement 43  
Attachment 2 - Deliberative Process Privilege Log  
Declaration of Melanie A. Galloway  
Affidavit of Michael J. Wentzel

cc w/Encls.: Service List

Attachment 1 - Indian Point License Renewal Hearing File Index  
 Supplement 43 – August 31, 2012

ID#	Accession Number	Document Date	Title
43-0001	ML122206A030	7/24/2012	2012/07/24 Indian Point LR Hearing - FW: Atlantic Sturgeon Information
43-0002	ML12212A215	7/30/2012	2012/07/30 Indian Point LR Hearing - Review Time
43-0003	ML12220A144	8/1/2012	2012/08/01 Indian Point LR Hearing - Draft RAIs - followup to partial response of June 14, 2012
43-0004	ML12216A297	8/3/2012	2012/08/03 Indian Point LR Hearing - Indian Point ESA Consultation Letter
43-0005	ML12220A267	8/3/2012	2012/08/03 Indian Point LR Hearing - RE: Indian Point ESA Consultation Letter
43-0006	ML12220A254	8/7/2012	2012/08/07 Indian Point LR Hearing - FW: Atlantic Sturgeon Information
43-0007	ML12220A437	8/7/2012	2012/08/07 Indian Point LR Hearing - FW: Draft RAIs - followup to partial response of June 14, 2012
43-0008	ML12220A434	8/7/2012	2012/08/07 Indian Point LR Hearing - FW: Indian Point - Draft RAIs - followup to partial response of June 14, 2012
43-0009	ML12220A435	8/7/2012	2012/08/07 Indian Point LR Hearing - FW: Indian Point - Draft RAIs - followup to partial response of June 14, 2012
43-0010	ML12220A436	8/7/2012	2012/08/07 Indian Point LR Hearing - FW: Indian Point - Draft RAIs - followup to partial response of June 14, 2012
43-0011	ML12220A148	8/7/2012	2012/08/07 Indian Point LR Hearing - RE: Indian Point - Draft RAIs - followup to partial response of June 14, 2012
43-0012	ML12221A472	8/8/2012	2012/08/08 Indian Point LR Hearing - Draft RAIs For The Indian Point LRA Environmental Review
43-0013	ML12221A195	8/8/2012	2012/08/08 Indian Point LR Hearing - FW: License Renewal Draft RAI Conference Call Participants
43-0014	ML12222A005	8/8/2012	2012/08/08 Indian Point LR Hearing - RE: Draft RAIs For The Indian Point LRA Environmental Review
43-0015	ML12222A310	8/9/2012	2012/08/09 Indian Point LR Hearing - RE: Draft RAIs For The Indian Point LRA Environmental Review
43-0016	ML12226A541	8/13/2012	2012/08/13 Indian Point LR Hearing - Applicant review fo Conference call notes,
43-0017	ML12226A542	8/13/2012	2012/08/13 Indian Point LR Hearing - FW: Applicant review fo Conference call notes,
43-0018	ML12227A351	8/14/2012	2012/08/14 Indian Point LR Hearing - FW: Applicant review fo Conference call notes,
43-0019	ML12227A251	8/14/2012	2012/08/14 Indian Point LR Hearing - FW: Applicant review fo Conference call notes,
43-0020	ML12227A486	8/14/2012	2012/08/14 Indian Point LR Hearing - FW: Entergy Response to NY AG Letter on License Renewal
43-0021	ML12227A352	8/14/2012	2012/08/14 Indian Point LR Hearing - Re: Indian Point Requests for Additional Information

Attachment 1 - Indian Point License Renewal Hearing File Index  
 Supplement 43 – August 31, 2012

ID#	Accession Number	Document Date	Title
43-0022	ML12228A569	8/8/2012	Application to Renew Operating Licenses for Indian Point Nuclear Power Reactors Unit 2 and Unit 3, General Correspondence - NL-12-107.
43-0023	ML12222A343	8/6/2012	Indian Point, Units 2 & 3, Clean Water Act Section 401 Water Quality Certification Waiver.
43-0024	ML12207A122	7/24/2012	Indian Point, Units 2 and 3, Supplement to License Renewal Application - Compliance with Coastal Zone Management Act.
43-0025	ML12216A209	8/3/2012	Letter from D. Morris, NMFS, to A. Hull, NRC, Requesting Extension to Section 7 Consultation for Indian Point.
43-0026	ML12199A025	7/30/2012	Project Manager Change for the License Renewal of Indian Point, Units 2 & 3 (TAC ME5407 and MD5408).
43-0027	ML12221A155	8/13/2012	Request for Additional Information for the Review of the Indian Point Nuclear Generating Unit Nos. 2 and 3, License Renewal Application Environmental Review (TAC Nos. MD5411 and MD5412).
43-0028	ML12221A033	8/17/2012	Response to Request for Additional Review Time for Endangered Species Act Section 7 Consultation at Indian Point Nuclear Generating Unit Nos. 2 and 3.
43-0029	ML12208A200	7/26/2012	2012/07/26 Indian Point LR Hearing - FW: Request for Consultation on Motion Regarding LRA ER Supplement on CZMA

Attachment 2 - Indian Point License Renewal Hearing File Index  
 Deliberative Process Privilege, Supplement 43 – August 31, 2012

Certain documents otherwise subject to inclusion in the hearing file and mandatory disclosures for this proceeding have been determined by the NRC Staff to contain information subject to withholding from public disclosures as predecisional, deliberative information. Pursuant to 10 C.F.R. § 2.336(b)(5), the Staff is providing this log to identify the following documents, withheld under the "deliberative process" privilege.

ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Estimated Page Count
DPP-43-001	ML12228A487	M. Galloway, NRC/NRR	2012/06/19 Indian Point LR Hearing - FW: PCV - 455B Indian Point Unit 2	6/19/2012	E-Mail w/ attachment	B. Rogers, R. Auluck, NRC/NRR	Internal discussion regarding valve corrosion  Attachment: Picture of Valve	4
DPP-43-002	ML12228A485	M. Galloway, NRC/NRR	2012/06/20 Indian Point LR Hearing - RE: PCV - 455B Indian Point Unit 2	6/20/2012	E-Mail	B. Rogers, R. Auluck, NRC/NRR	Internal discussion regarding valve corrosion	3
DPP-43-003	ML12228A482	M. Galloway, NRC/NRR	2012/07/05 Indian Point LR Hearing - RE: Summary of Telecon with NMFS Northeast Regarding Indian Point	7/5/2012	E-Mail	K. Folk, NRC/NRR	Internal discussion regarding consultation with NMFS	3

Attachment 2 - Indian Point License Renewal Hearing File Index  
 Deliberative Process Privilege, Supplement 43 – August 31, 2012

ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Estimated Page Count
DPP-43-004	ML12228A483	M. Galloway, NRC/NRR	2012/07/05 Indian Point LR Hearing - RE: Summary of Telecon with NMFS Northeast Regarding Indian Point	7/5/2012	E-Mail	K. Folk, NRC/NRR	Internal discussion regarding consultation with NMFS	3
DPP-43-005	ML12228A499	M. Galloway, NRC/NRR	2012/07/24 Indian Point LR Hearing - RE: Heads up: Indian Point License Renewal Issue	7/24/2012	E-Mail	E. Leeds, B. Dean, D. Lew, B. Boger, B. Holian, M. Johnson, NRC/NRR; E. Williamson, M. Spencer, NRC/OGC	Internal discussion regarding Energy's Environmental Report	2
DPP-43-006	ML12216A244	J. Crocker, NOAA	2012/07/27 Indian Point LR Hearing - Fwd: Atlantic Sturgeon Information	7/27/2012	E-Mail w/ Attachment	B. Balsam, D. Logan, NRC/NRR	Discussion regarding NMFS consultation  Attachment: Atlantic Sturgeon Impingement Information (Report by AKRF, Inc., 7/23/12)	46

Attachment 2 - Indian Point License Renewal Hearing File Index  
 Deliberative Process Privilege, Supplement 43 – August 31, 2012

ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Estimated Page Count
DPP-43-007	ML12209A430	D. Logan ,NRC/NRR	2012/07/27 Indian Point LR Hearing - RE: Atlantic Sturgeon Information	7/27/2012	E-Mail	B. Balsam, NRC/NRR; J. Crocker, NOAA	Discussion regarding NMFS consultation	4
DPP-43-008	ML12216A243	J. Crocker, NOAA	2012/07/30 Indian Point LR Hearing - indian point	7/30/2012	E-Mail	B. Balsam, D. Logan, NRC/NRR	Discussion regarding NMFS consultation and Indian Point data	2
DPP-43-009	ML12212A217	M. Wentzel, NRC/NRR	2012/07/30 Indian Point LR Hearing - RE: Atlantic Sturgeon Information	7/30/2012	E-Mail	D. Logan, B. Balsam, NRC/NRR	Discussion regarding NMFS consultation and Indian Point data	4

Attachment 2 - Indian Point License Renewal Hearing File Index  
 Deliberative Process Privilege, Supplement 43 – August 31, 2012

ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Estimated Page Count
DPP-43-010	ML12212A084	D. Logan, NRC/NRR	2012/07/30 Indian Point LR Hearing - RE: indian point	7/30/2012	E-Mail	B. Balsam, NRC/NRR; J. Crocker, NOAA	Discussion regarding NMFS consultation and Indian Point data	3
DPP-43-011	ML12212A138	D. Logan, NRC/NRR	2012/07/30 Indian Point LR Hearing - RE: indian point	7/30/2012	E-Mail	B. Balsam, NRC/NRR; J. Crocker, NOAA	Discussion regarding NMFS consultation and Indian Point data	4
DPP-43-012	ML12213A322	J. Crocker, NOAA	2012/07/30 Indian Point LR Hearing - Re: indian point	7/30/2012	E-Mail	D. Logan, B. Balsam, NRC/NRR	Discussion regarding NMFS consultation and Indian Point data	4



Attachment 2 - Indian Point License Renewal Hearing File Index  
 Deliberative Process Privilege, Supplement 43 – August 31, 2012

ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Estimated Page Count
DPP-43-013	ML12216A242	J. Crocker, NOAA	2012/07/31 Indian Point LR Hearing - Indian Point Data request...	7/31/2012	E-Mail	D. Logan, B. Balsam, NRC/NRR	Discussion regarding NMFS consultation and Indian Point data	2
DPP-43-014	ML12214A327	R. Kuntz, NRC/NRR	2012/08/01 Indian Point LR Hearing - Call summaries	8/1/2012	E-Mail w/ Attachments	J. Poehler, A. Hiser, C. Ng, O. Yee, NRC/NRR	Discussion on draft telephone conference summaries Attachments: Draft telephone conference summary of 5/24/2012 Draft telephone conference summary of 6/4/2012	8

Attachment 2 - Indian Point License Renewal Hearing File Index  
 Deliberative Process Privilege, Supplement 43 – August 31, 2012

ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Estimated Page Count
DPP-43-015	ML12221A467	M. Smith, NRC/OGC	2012/08/01 Indian Point LR Hearing - FW: NRC CZMA Question	8/1/2012	E-Mail	J. Dillen, NOAA	Discussion of CZMA requirements	3
DPP-43-016	ML12221A331	O. Yee, NRC/NRR	2012/08/01 Indian Point LR Hearing - RE: Call summaries	8/1/2012	E-Mail	R. Kuntz, J. Poehler, A. Hiser, C. Ng, O. Yee, NRC/NRR	Discussion on draft telephone conference summaries	2
DPP-43-017	ML12220A139	J. Daily, NRC/NRR	2012/08/01 Indian Point LR Hearing - RE: Indian Point - OGC needs updates	8/1/2012	E-Mail	J. Poehler, NRC/NRR	Discussion of draft RAIs for RVI	3

Attachment 2 - Indian Point License Renewal Hearing File Index  
 Deliberative Process Privilege, Supplement 43 – August 31, 2012

ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Estimated Page Count
DPP-43-018	ML12214A334	D. Logan, NRC/NRR	2012/08/01 Indian Point LR Hearing - RE: Indian Point Data request...	8/1/2012	E-Mail w/ attachment	B. Balsam, NRC/NRR; J. Crocker, NOAA	Discussion regarding NMFS consultation and Indian Point data  Attachment: Indian Point Total Catch and CPUE of sturgeon	4
DPP-43-019	ML12216A225	A. Stuyvenberg, NRC/NRR	2012/08/03 Indian Point LR Hearing - FW: CZMA and Indian Point	8/3/2012	E-Mail	M. Wentzel, NRC/NRR	Internal discussion regarding NYS DOS' CZMA review	2
DPP-43-020	ML12216A229	K. Damon-Randall, NOAA	2012/08/03 Indian Point LR Hearing - letter re: Indian Point consultation	8/3/2012	E-Mail w/ attachment	A. Hull, D. Logan, B. Balsam, NRC/NRR; J. Crocker, NOAA	Discussion regarding NMFS consultation  Attachment: Aug. 3, 2012 Letter from NOAA regarding consultation	5

Attachment 2 - Indian Point License Renewal Hearing File Index  
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ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Estimated Page Count
DPP-43-021	ML12221A460	M. Smith, NRC/OGC	2012/08/06 Indian Point LR Hearing - RE: FW: NRC CZMA Question	8/6/2012	E-Mail	D. Kaiser, NOAA	Discussion on CZMA consistency	4
DPP-43-022	ML12220A145	J. Daily, NRC/NRR	2012/08/07 Indian Point LR Hearing - indian point	8/7/2012	E-Mail	R. Kuntz, NRC/NRR	Internal discussion on the GALL and SRP for Indian Point	2
DPP-43-023	ML12226A318	D. Logan, NRC/NRR	2012/08/13 Indian Point LR Hearing - Indian Point: NMFS's August 3, 2012 letter regarding extending the consultation	8/13/2012	E-Mail	M. Wentzel, B. Balsam, A. Hull, NRC/NRR	Discussion regarding NMFS consultation and schedule	2

Attachment 2 - Indian Point License Renewal Hearing File Index  
 Deliberative Process Privilege, Supplement 43 – August 31, 2012

ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Estimated Page Count
DPP-43-024	ML12207A472	M. Wentzel, NRC/NRR	2012/07/25 Indian Point LR Hearing -	7/25/2012	E-Mail w/ attachment	M. Mosher, NRC/NRR	Discussion regarding the Indian Point ER supplement  Attachment: NYSDEC June 25, 2003 EIS for SPDES permits	100
DPP-43-025	ML12207A557	M. Wentzel, NRC/NRR	2012/07/25 Indian Point LR Hearing - Additional IP Reference	7/25/2012	E-Mail w/ attachments	M. Mosher, NRC/NRR	Discussion regarding the Indian Point ER supplement  Attachments: (1) 3/31/2000 NYPA Negative Declaration (sale of Indian Point Unit 3 and FitzPatrick);(2) 8/17/2001 NYSPSC Indian Point Unit 2 Order/FSEIS; (3) 8/2/2001NY SDEC Work Plan Review	123

Attachment 2 - Indian Point License Renewal Hearing File Index  
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ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Estimated Page Count
DPP-43-026	ML12207A469	M. Wentzel, NRC/NRR	2012/07/25 Indian Point LR Hearing - Letter re Indian Point CWA sec. 401 compliance	7/25/2012	E-Mail w/ attachment	D. Logan, NRC/NRR	Discussion on NYS position on the CWA 401  Attachment: July 25, 2012 Letter from J. Dean to the Commission	8
DPP-43-027	ML12207A183	M. Wentzel, NRC/NRR	2012/07/25 Indian Point LR Hearing - RE: Indian Point fish story	7/25/2012	E-Mail	N. Sheehan, NRC/NRR	Discussion of news articles on the draft FSEIS supplement	2
DPP-43-028	ML12208A046	M. Wentzel, NRC/NRR	2012/07/26 Indian Point LR Hearing - NMFS	7/26/2012	E-Mail	D. Logan, NRC/NRR	Discussion regarding NMFS consultation	2

Attachment 2 - Indian Point License Renewal Hearing File Index  
 Deliberative Process Privilege, Supplement 43 – August 31, 2012

ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Estimated Page Count
DPP-43-029	ML12226A319	J. Crocker, NOAA	2012/08/13 Indian Point LR Hearing - Re: Indian Point: NMF's August 3, 2012 letter regarding extending the consultation	8/13/2012	E-Mail	M. Wentzel, B. Balsam, A. Hull, NRC/NRR	Discussion regarding NMFS consultation  Discussion of correspondence from NYS and Riverkeeper to the Commission	3
DPP-43-030	ML12227A488	D. Pickett, NRC/NRR	2012/08/14 Indian Point LR Hearing - FW: New York State AG Letter on License Renewal	8/14/2012	E-Mail w/ attachment	S. Giebel, NRC/FSME; M. Wentzel, J. Daily, D. Morey, NRC/NRR	Attachment: July 25, 2012 Letter from J. Dean to the Commission	78

August 31, 2012

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 & 50-286-LR  
 )  
 )  
(Indian Point Nuclear Generating Units 2 and 3) )

DECLARATION OF MELANIE A. GALLOWAY

I, Melanie A. Galloway, do hereby state as follows:

1. I am employed as the Deputy Director of the Division of License Renewal (“DLR”) in the U.S. Nuclear Regulatory Commission’s (“NRC”) Office of Nuclear Reactor Regulation (“NRR”). I am serving as the Acting Director for DLR. My supervisory responsibilities include oversight of the NRC Staff’s review and evaluation of the Indian Point Nuclear Generating Units 2 and 3 license renewal application.

2. As part of their responsibilities in updating the hearing file and mandatory disclosures for these proceedings, NRC staff members under my supervision identified documents as privileged because they contained information concerning the Staff’s pre-decisional deliberative process. The documents are listed in Attachment 2 to the submission of the Staff’s Hearing File Index Supplement 43.

3. I have personally reviewed the documents identified as privileged in Attachment 2, and have determined, in accordance with the guidance set forth in Management Directive 3.4, that they contain pre-decisional information concerning the Staff’s review of the license renewal application. The documents contain either the Staff’s analyses, recommendations, opinions, or evaluations, and may not necessarily reflect the final agency



position with respect to the matters discussed therein. The documents comprise part of the deliberative process necessary for the Staff's review of the pending license renewal application.

4. Further, I have determined that disclosure of the documents could result in harm to the agency, in that it would (a) prematurely disclose the preliminary views of individual Staff members and/or the Staff prior to reaching a final agency decision, and could thus create confusion as to the actual policy or views of the NRC Staff; (b) hinder the efficiency of the Staff, in that forced disclosure of its internal discussions on an unresolved issue would tend to chill all future deliberations and would interfere with the Staff's ability to engage in a free exchange of opinions and analyses prior to publishing its final review documents; and (c) imply or suggest incorrectly that the opinions of the Staff members involved in these communications are actually the final decisions of the agency, while no such final decision has yet been made.

5. Accordingly, I formally invoke the deliberative process privilege with respect to the documents listed in Attachment 2 to the submission of the Staff's Hearing File Index Supplement 43.

6. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Executed in Accord with 10 CFR 2.304(d).  
Melanie A. Galloway

Executed in Rockville, Maryland  
this 31st day of August, 2012

August 31, 2012

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 & 50-286-LR
	)	
(Indian Point Nuclear Generating	)	ASLBP No. 07-858-03-LR-BD01
Units 2 and 3)	)	

AFFIDAVIT OF MICHAEL J. WENTZEL

I, Michael J. Wentzel, do hereby state as follows:

1. I am employed as a Program Manager in the Division of License Renewal in the U.S. Nuclear Regulatory Commission's ("NRC") Office of Nuclear Reactor Regulation. I currently serve as a project manager for the Indian Point Nuclear Generating Units 2 and 3 license renewal application ("LRA"). Among my other duties as project manager, since June 2012, I have been responsible for compiling and producing the NRC Staff's ("Staff") hearing file and mandatory disclosures in the NRC adjudicatory proceeding for the Indian Point LRA.

2. I hereby certify that all relevant materials required to be disclosed pursuant to 10 C.F.R. § 2.336 (b) and (c) in the captioned proceeding have been disclosed, and that the disclosures are accurate and complete for documents identified as of August 22, 2012.

3. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

**Executed in Accord with 10 CFR 2.304(d).**  
Michael J. Wentzel

Executed in Rockville, Maryland  
this 31<sup>st</sup> day of August, 2012

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Letter to the Atomic Safety and Licensing Board regarding the Indian Point Hearing File, including: Attachment 1 - Indian Point License Renewal Hearing File Index Supplement 43, Affidavit of Michael J. Wentzel, dated August 31, 2012, Attachment 2 – Indian Point License Renewal Hearing File Index Supplement 43 – Deliberative Process Privilege, and Declaration of Melanie A. Galloway, dated August 31, 2012, in the above-captioned proceeding have been served on the following by Electronic Information Exchange this 31st day of August, 2012.

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