

October 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-LR/286-LR
)
(Indian Point Nuclear Generating)
Units 2 and 3))

NRC STAFF'S MOTION FOR EXTENSION OF TIME
FOR THE SUBMISSION OF THE STAFF'S 45TH UPDATE TO THE HEARING FILE

Pursuant to 10 C.F.R. § 2.323(a), the NRC Staff ("Staff") hereby requests an extension of time until Tuesday, November 6, 2012, for the filing of the 45th update to the Hearing File in this proceeding. As discussed below, counsel for the Staff ("Staff Counsel") has discussed this motion with counsel for Entergy Nuclear Operations, Inc. ("Entergy" or "Applicant"), the State of New York ("New York") and Riverkeeper, Inc. ("Riverkeeper"); none of those parties oppose the Staff's motion. Staff Counsel was unable to reach counsel for Hudson River Sloop Clearwater Inc. ("Clearwater"). In support of this Motion, the Staff states as follows:

1. The Staff's 45th update to the Hearing File is due on October 31, 2012.
2. Because of Hurricane Sandy, the NRC (like other government offices in the Washington, D.C. area) was closed to non-essential personnel October 29 and 30, 2012.
3. In addition, several NRC Staff employees were unavailable and/or on official travel or annual leave during the period of October 25 to 26, 2012.
4. Given the hurricane-related government closure and NRC Staff employee unavailability, the Staff requires additional time in which to prepare and submit its 45th update to the Hearing File.
5. Due to the closure of the NRC on October 29-30, 2012, the Staff was not able to file this motion prior to today, the date the Hearing File update is due to be filed.

6. In accordance with 10 C.F.R. § 2.323(b), Staff Counsel has contacted counsel for New York, Riverkeeper, and Entergy, none of whom objected to this request for an extension of time. Staff Counsel made numerous attempts to reach counsel for Clearwater, but those attempts were unsuccessful.

7. The Staff respectfully submits that this request for an extension of time is not unreasonable under the circumstances, and will not cause hardship for any party or substantial delay in the proceeding.

WHEREFORE, the Staff respectfully requests that the Staff be afforded an extension of time, until November 6, 2012, in which to file its 45th update to the Hearing File.

Signed Electronically by _____

Beth N. Mizuno
Counsel for NRC Staff
U.S. Nuclear Regulatory Commission
Office of the General Counsel
Mail Stop – O-15D21
Washington, DC 20555
Telephone: (301) 415-3122
E-mail: beth.mizuno@nrc.gov

Dated at Rockville, Maryland
this 31st day of October 2012

CERTIFICATION OF COUNSEL

Pursuant to 10 C.F.R. § 2.323(b), the undersigned attorney hereby certifies that she has made a sincere effort to contact the other parties to this proceeding (Entergy, New York, Clearwater, and Riverkeeper), to resolve the issues raised in this Motion, and that her efforts to resolve this issue with Entergy, New York, and Riverkeeper have been largely successful. NRC Staff counsel was unable to reach Clearwater despite numerous attempts.

Respectfully submitted,

Signed Electronically by

Beth N. Mizuno
Counsel for NRC Staff
U.S. Nuclear Regulatory Commission
Office of the General Counsel
Mail Stop – O-15D21
Washington, DC 20555
Telephone: (301) 415-3122
E-mail: beth.mizuno@nrc.gov

Dated at Rockville, Maryland
this 31st day of October 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

Pursuant to 10 C.F.R § 2.305 (revised), I hereby certify that copies of the foregoing NRC Staff's Motion for Extension of Time for the Submission of the Staff's 45th Update to the Hearing File, dated October 31, 2012 have been served upon the Electronic Information Exchange (the NRC's E-Filing System), in the above captioned proceeding, this 31st day of October, 2012.

Signed Electronically by _____

Beth N. Mizuno
Counsel for NRC Staff
U.S. Nuclear Regulatory Commission
Office of the General Counsel
Mail Stop – O-15D21
Washington, DC 20555
Telephone: (301) 415-3122
E-mail: beth.mizuno@nrc.gov