


United States Nuclear Regulatory Commission Official Hearing Exhibit	
In the Matter of:	Entergy Nuclear Operations, Inc. (Indian Point Nuclear Generating Units 2 and 3)
	ASLBP #: 07-858-03-LR-BD01
	Docket #: 05000247 05000286
	Exhibit #: NYS000210-00-BD01
	Admitted: 10/15/2012
	Rejected:
Other:	Identified: 10/15/2012
	Withdrawn:
	Stricken:

NYS000210
Submitted: December 16, 2011

**UNITED STATES
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD**

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In re: Docket Nos. 50-247-LR; 50-286-LR
License Renewal Application Submitted by ASLBP No. 07-858-03-LR-BD01
Entergy Nuclear Indian Point 2, LLC, DPR-26, DPR-64
Entergy Nuclear Indian Point 3, LLC, and December 16, 2011
Entergy Nuclear Operations, Inc.
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DECLARATION OF KATHRYN M. LIBERATORE

Pursuant to 28 U.S.C. § 1746, Kathryn M. Liberatore hereby declares as follows:

1. I serve as an Assistant Attorney General for the State of New York, counsel for petitioner-intervenor State of New York in this proceeding. I submit this declaration and accompanying exhibits in support of the State of New York’s contention, NYS-16/16A/16B (hereinafter “NYS-16B”), which asserts that Entergy underestimated the 2035 population within 50 miles of Indian Point likely to be exposed to radiation during a severe accident, and that NRC Staff’s December 2010 Final Supplemental Environmental Impact Statement (“FSEIS”) is legally deficient because it accepted and relied upon this flawed population estimate.
2. The accompanying exhibits are discussed in more detail in the State’s Statement of Position, or were previously submitted as supporting evidence for the State’s contentions.
3. Attached to this declaration as Exhibit NYSR50001 is a true and correct copy of the document entitled *State of New York Hearing Exhibits List ("NYS Exhibits List")*, Exh. NYSR50001. *NYS Exhibits List* includes those exhibits relied upon and referenced in support of Contention NYS-16B, NYS00133E through NYS00133J, and NYS000206 through NYS000222.

4. Attached to this declaration as Exhibits NYS00133E -NYS00133J is a true and correct copy of the document entitled *NUREG-1437, Generic Environmental Impact Statement for License Renewal of Nuclear Plants: Regarding Indian Point Nuclear Generating Unit Nos. 2 and 3*, Supplement 38, Appendices A-I (Dec. 2010) (“FSEIS”).

5. Attached to this declaration as Exhibit NYS000220 is a true and correct copy of the document entitled *NUREG-1555 Standard Review Plans for Environmental Reviews of Nuclear Power Plants Supplement 1* (Oct. 1999), excerpted: pp. iii, 5.1.1-1 to 5.1.1-9.

6. Attached to this declaration as Exhibit NYS000222 is a true and correct copy of the document entitled *NRC, Standard Format and Content of Safety Analysis Reports for Nuclear Power Plants (LWR Edition), Regulatory Guide 1.70, Rev. 3* (Nov. 1978), excerpted: p. 2-4.

7. I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 16, 2011

Signed (electronically) by

Kathryn M. Liberatore
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of the State of New York
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