

Morgan, Lewis & Bockius LLP
1111 Pennsylvania Avenue, NW
Washington, DC 20004
Tel. 202.739.3000
Fax: 202.739.3001
www.morganlewis.com

Morgan Lewis
C O U N S E L O R S A T L A W

Kathryn M. Sutton
Partner
202.739.5738
ksutton@MorganLewis.com

Paul M. Bessette
Partner
202.739.5796
pbessette@MorganLewis.com

May 7, 2013

Lawrence G. McDade, Chairman
Dr. Michael F. Kennedy
Dr. Richard E. Wardwell
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Docket: *Entergy Nuclear Operations, Inc. (Indian Point Nuclear Generating Units 2 and 3), Docket Nos. 50-247-LR and 50-286-LR*

RE: **Notification of Entergy's Submission of the Results of Completed Engineering Project Cost Estimates for SAMAs Previously Identified as Potentially Cost-Beneficial**

Dear Administrative Judges:

Entergy Nuclear Operations, Inc. ("Entergy") is providing this notice to the Atomic Safety and Licensing Board and the parties regarding Entergy's May 6, 2013 submittal to the Nuclear Regulatory Commission Staff of the results of completed engineering project cost estimates for implementing the Indian Point Nuclear Generating Unit 2 and 3 Severe Accident Mitigation Alternatives ("SAMAs") previously identified as cost beneficial. *See* NL-13-075, Letter from F. Dacimo, Entergy, to NRC Document Control Desk. A copy of NL-13-075 is attached for your reference.

As noted in the attached letter, Entergy submitted this information to the NRC to support resolution of certain issues identified by the Board in its July 14, 2011 decision granting New York State's motion for summary disposition of Consolidated Contention NYS-35/36. In that decision, the Board held that:

Entergy's licenses cannot be renewed unless and until the NRC Staff reviews Entergy's completed SAMA analyses and either incorporates the result of these reviews into the FSEIS or, in the alternative, modifies the FSEIS to provide a valid reason for recommending the renewal of the licenses before the analysis of potentially cost-effective SAMAs is complete and for not requiring the implementation of cost-beneficial SAMAs.

NL-13-075 also addresses certain statements by the Commission in its December 22, 2011 ruling on Entergy's Petition for Review of that same decision. The Commission noted that in granting NYS's motion, the Board was careful not to require the Staff to impose the cost-beneficial SAMAs as a condition for license renewal. Rather, it would be reasonable for the Staff to further explain in the FSEIS why it believes the cost-beneficial SAMAs are appropriately excluded from further consideration in license renewal, and whether the Staff believes that any of the cost-beneficial SAMAs may warrant further consideration as a safety matter outside of license renewal.

Respectfully submitted,

Executed in accord with 10 C.F.R. § 2.304(d)

Kathryn M. Sutton, Esq.
Paul M. Bessette, Esq.
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Phone: (202) 739-3000
Fax: (202) 739-3001
E-mail: ksutton@morganlewis.com
E-mail: pbessette@morganlewis.com

William B. Glew, Jr., Esq.
William C. Dennis, Esq.
ENTERGY SERVICES, INC.
440 Hamilton Avenue
White Plains, NY 10601
Phone: (914) 272-3202
Fax: (914) 272-3205
E-mail: wglew@entergy.com
E-mail: wdennis@entergy.com

Counsel for Entergy Nuclear Operations, Inc.

Attachment

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	Docket Nos. 50-247-LR and
)	50-286-LR
ENTERGY NUCLEAR OPERATIONS, INC.)	
)	
(Indian Point Nuclear Generating Units 2 and 3))	
)	May 7, 2013

CERTIFICATE OF SERVICE

Pursuant to 10 C.F.R. § 2.305 (as revised), I certify that, on this date, a copy of Entergy's letter to the Administrative Judges was served upon the Electronic Information Exchange (the NRC's E-Filing System), in the above-captioned proceeding.

Signed (electronically) by Lance A. Escher

Lance A. Escher, Esq.

MORGAN, LEWIS & BOCKIUS LLP

1111 Pennsylvania Ave. NW

Washington, DC 20004

Phone: (202) 739-5080

Fax: (202) 739-3001

E-mail: lescher@morganlewis.com