



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555 - 0001

June 28, 2013

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 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, 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 53 is appended hereto as Attachment 1.

On or about July 10, 2013, 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. The hearing file will be contained in a sub-folder entitled, "Indian PT Hearing File, Supplement 53" 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 David Pelton formally invoking the deliberative process privilege with respect to the documents in Attachment 2. The Staff will

Judge McDade
Judge Kennedy
Judge Wardwell

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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 Kimberly J. Green, 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 June 21, 2013.

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
Anita Ghosh
Counsel for NRC Staff

Enclosures: Attachment 1 - Hearing File Index, Supplement 53
Attachment 2 - Deliberative Process Privilege Log
Declaration of David Pelton
Affidavit of Kimberly J. Green

cc w/Encls.: Service List

Attachment 1 - Indian Point License Renewal Hearing File Index
 Supplement 53 – June 28, 2013

ID#	Accession Number	Document Date	Title
53-0001	ML13149A379	05/29/2013	2013/05/29 Indian Point LR Hearing - IPEC License Renewal - RAI 11a and 15
53-0002	ML13171A123	05/30/2013	2013/05/30 Indian Point LR Hearing - RE: IPEC License Renewal - RAI 11a and 15
53-0003	ML13150A050	05/30/2013	2013/05/30 Indian Point LR Hearing - RE: IPEC License Renewal - RAI 11a and 15
53-0004	ML13150A164	05/30/2013	2013/05/30 Indian Point LR Hearing - Teleconference Call Details
53-0005	ML13154A388	06/03/2013	2013/06/03 Indian Point LR Hearing - Draft RAI on LRA Amendments and Previous Responses to RAIs
53-0006	ML13170A480	06/04/2013	2013/06/04 Indian Point LR Hearing - Four questions
53-0007	ML13161A405	06/04/2013	2013/06/04 Indian Point LR Hearing - letter from NMFS to NYDEC
53-0008	ML13155A017	06/04/2013	2013/06/04 Indian Point LR Hearing - RE: Draft RAI on LRA Amendments and Previous Responses to RAIs
53-0009	ML13155A248	06/04/2013	2013/06/04 Indian Point LR Hearing - Teleconference Call to Obtain Clarification on RAI Response in May 7 Letter
53-0010	ML13157A160	06/05/2013	2013/06/05 Indian Point LR Hearing - IPEC License Renewal - 6/4/13 Conference Call Participants
53-0011	ML13161A082	06/06/2013	2013/06/06 Indian Point LR Hearing -
53-0012	ML13161A403	06/10/2013	2013/06/10 Indian Point LR Hearing - RE: Draft RAI on LRA Amendments and Previous Responses to RAIs
53-0013	ML13169A224	06/18/2013	2013/06/18 Indian Point LR Hearing - Draft RAI on RVI
53-0014	ML13171A120	06/18/2013	2013/06/18 Indian Point LR Hearing - RE: Draft RAI on RVI
53-0015	ML13170A478	06/19/2013	2013/06/19 Indian Point LR Hearing - Draft Telecon Summary for Call on June 4, 2013
53-0016	ML13170A031	06/19/2013	2013/06/19 Indian Point LR Hearing - RAI Set 2013-02
53-0017	ML13171A119	06/19/2013	2013/06/19 Indian Point LR Hearing - RE: RAI Set 2013-02
53-0018	ML13171A118	06/20/2013	2013/06/20 Indian Point LR Hearing - RE: Draft Telecon Summary for Call on June 4, 2013
53-0019	ML13162A616	06/30/2013	NUREG-1437 Supp 38 Vol 4 "Generic Environmental Impact Statement for License Renewal of Nuclear Plants: Regarding Indian Point Nuclear Generating Units Nos. 2 and 3" (Final Report Supplemental Report and Comment Responses).

Attachment 2 - Indian Point License Renewal Hearing File Index
 Deliberative Process Privilege, Supplement 53 – June 28, 2013

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
DP-53-001	ML13170A094	D. Logan, NRC/NRR	2012/12/11 Indian Point LR Hearing - Re: Completing the IP Supplement - A time estimate	12/11/2012	E-Mail	M. Wong, NRC/NRR L. James, NRC/NRR	Internal discussion regarding FSEIS supplement [Also withheld under Attorney-Client privilege]	2
DP-53-002	ML13170A092	D. Logan, NRC/NRR	2012/12/11 Indian Point LR Hearing - RE: Re: Completing the IP Supplement - A time estimate	12/11/2012	E-Mail	L. James, NRC/NRR M. Wong, NRC/NRR	Internal discussion regarding FSEIS supplement [Also withheld under Attorney-Client privilege]	3

Attachment 2 - Indian Point License Renewal Hearing File Index
Deliberative Process Privilege, Supplement 53 – June 28, 2013

ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Estimated Page Count
DP-53-003	ML13158A112	M. Homiack, NRC/NRR	2013/05/07 Indian Point LR Hearing - FYI: Updated LRA Review Status Based on Operating Experience ISG	05/07/2013	E-Mail w/ Attachment	D. Morey, NRC/NRR	Internal discussion regarding LRA review status based on Operating Experience ISG Attachment: Internal document describing LRA review status based on guidance in Final LR-ISG-2011-05.	3
DP-53-004	ML13148A493	S. Bloom, NRC/NRR	2013/05/28 Indian Point LR Hearing - Emailing: DRAI on selective leaching - Gardner Holston.docx	05/28/2013	E-Mail w/ Attachment	Y. Diaz-Sanabria, NRC/NRR K. Green, NRC/NRR C. Spruill, NRC/NRR	Email forwarding draft RAI Attachment: Draft RAI	4
DP-53-005	ML13155A249	J. Wise, NRC/NRR	2013/05/29 Indian Point LR Hearing - RE: Review of LRA Amendment for IP LRA	05/29/2013	E-Mail	S. Bloom, NRC/NRR	Internal discussion regarding draft RAI	3

Attachment 2 - Indian Point License Renewal Hearing File Index
 Deliberative Process Privilege, Supplement 53 – June 28, 2013

ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Estimated Page Count
DP-53-006	ML13150A049	K. Green, NRC/NRR	2013/05/30 Indian Point LR Hearing - Any RAIs on IP amendments and recent letters	05/30/2013	E-Mail	M. Marshall, NRC/NRR D. Morey, NRC/NRR Y. Diaz-Sanabria, NRC/NRR	Internal discussion regarding draft RAIs and SER supplement	2
DP-53-007	ML13150A307	J. Medoff, NRC/NRR	2013/05/30 Indian Point LR Hearing - FW: Any RAIs on IP amendments and recent letters	05/30/2013	E-Mail	K. Green, NRC/NRR D. Morey, NRC/NRR C. Ng, NRC/NRR	Internal discussion regarding LRA amendment and input for SER supplement	2
DP-53-008	ML13150A051	K. Green, NRC/NRR	2013/05/30 Indian Point LR Hearing - IP SER input for Supplement	05/30/2013	E-Mail	D. Morey, NRC/NRR S. Bloom, NRC/NRR M. Marshall, NRC/NRR A. Sheikh, NRC/NRR W. Holston, NRC/NRR W. Gardner, NRC/NRR D. Nguyen, NRC/NRR J. Wise, NRC/NRR Y. Diaz-Sanabria, NRC/NRR	Internal discussion regarding SER supplement	2

Attachment 2 - Indian Point License Renewal Hearing File Index
 Deliberative Process Privilege, Supplement 53 – June 28, 2013

ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Estimated Page Count
DP-53-009	ML13150A309	M. Marshall, NRC/NRR	2013/05/30 Indian Point LR Hearing - QUESTION: IP SER input for Supplement	05/30/2013	E-Mail	D. Nguyen, NRC/NRR A. Sheikh, NRC/NRR	Internal discussion regarding SER supplement	3
DP-53-010	ML13150A384	K. Green, NRC/NRR	2013/05/30 Indian Point LR Hearing - RE: Any RAIs on IP amendments and recent letters	05/30/2013	E-Mail w/ Attachment	J. Medoff, NRC/NRR	Internal discussion regarding LRA amendment Attachment: NL-12-123 (Publicly available at ADAMS Accession No. ML12285A084)	57
DP-53-011	ML13150A383	D. Nguyen, NRC/NRR	2013/05/30 Indian Point LR Hearing - RE: Question: Any RAIs on IP amendments and recent letters	05/30/2013	E-Mail	M. Marshall, NRC/NRR	Internal discussion regarding draft RAI	3
DP-53-012	ML13150A165	J. Poehler, NRC/NRR	2013/05/30 Indian Point LR Hearing - Remaining Issues to be Resolved Before An SSER Can Be Issued for Indian Point on the RVI Program (LRA Amendment 9)	05/30/2013	E-Mail	K. Green, NRC/NRR S. Rosenberg, NRC/NRR	Internal discussion regarding issuance of SER supplement	2

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
DP-53-013	ML13151A485	M. Homiak, NRC/NRR	2013/05/31 Indian Point LR Hearing - ACTION: For Review and Approval: Indian Point Follow-Up RAI on Activities for Future Consideration of Op. Exp.	05/31/2013	E-Mail w/ Attachment	D. Morey, NRC/NRR	Email sending draft RAI. Attachment: Draft RAI	3
DP-53-014	ML13151A425	J. Poehler, NRC/NRR	2013/05/31 Indian Point LR Hearing - ASME Section XI ISI of RVI for IP2 and IP3	05/31/2013	E-Mail	D. Pickett, NRC/NRR	Internal discussion regarding in-service inspection of RVI for IP2 and IP3	2
DP-53-015	ML13163A276	A. Prinaris, NRC/NRR	2013/05/31 Indian Point LR Hearing - Emailing: S&S - IP3 to IP2 Fuel Transfer - Prinaris Rogers, 5-31-2013.doc	05/31/2013	E-Mail w/ Attachment	M. Marshall, NRC/NRR B. Rogers, NRC/NRR	Email sending draft document Attachment: Draft internal document regarding Indian Point Spent Fuel Transfer System	12

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ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Estimated Page Count
DP-53-016	ML13151A414	K. Green, NRC/NRR	2013/05/31 Indian Point LR Hearing - Indian Point LRA Amendments and Responses to RAIs	05/31/2013	E-Mail w/ Attachments	S. Bloom, NRC/NRR	Internal discussion regarding LRA amendments and RAI responses Attachments: NL-12-149 (ML12341A177), NL-12-123 (ML12285A084), NL-12-032 (ML12090A648), NL-11-134 (ML11363A175), NL-13-046 (ML13094A369), NL-13-037 (ML13074A020), NL-12-190 (ML13003A178), NL-12-174 (ML12341A180)	144
DP-53-017	ML13151A473	C. Ng, NRC/NRR	2013/05/31 Indian Point LR Hearing - TLAA input to the Indian Point license renewal inspection (May2013)	05/31/2013	E-Mail w/ Attachment	G. Meyer, NRC/R-I D. Morey, NRC/NRR	Internal discussion regarding TLAA input to Indian Point license renewal inspection Attachment: Draft TLAA input	3

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ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Estimated Page Count
DP-53-018	ML13151A423	K. Green, NRC/NRR	2013/05/31 Indian Point LR Hearing -	05/31/2013	E-Mail w/ Attachments	D. Morey, NRC/NRR	Internal discussion regarding LRA amendments and RAI responses Attachments: NL-12-123 (ML12285A084), NL-13-052 (ML13142A202)	90
DP-53-019	ML13151A420	K. Green, NRC/NRR	2013/05/31 Indian Point LR Hearing -	05/31/2013	E-Mail w/ Attachments	M. Marshall, NRC/NRR	Internal discussion regarding LRA amendments and RAI responses Attachments: NL-13-044 (ML13141A402), NL-13-077 (ML13142A013)	42
DP-53-020	ML13154A140	W. Gardner, NRC/NRR	2013/06/03 Indian Point LR Hearing - FW: Indian Point SER	06/03/2013	E-Mail w/ Attachment	W. Holston, NRC/NRR	Email forwarding discussion of LRA amendment Attachment: Internal discussion of LRA amendment	3

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ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Estimated Page Count
DP-53-021	ML13154A056	D. Morey, NRC/NRR	2013/06/03 Indian Point LR Hearing - FW:	06/03/2013	E-Mail w/ Attachment	S. Rosenberg, NRC/NRR J. Poehler, NRC/NRR K. Green, NRC/NRR	Internal discussion regarding draft RAI responses Attachment: NL-13-052 (ML13142A202)	36
DP-53-022	ML13154A142	M. Homiack, NRC/NRR	2013/06/03 Indian Point LR Hearing - Indian Point Follow-Up RAI on Activities for Future Consideration of Op. Exp.	06/03/2013	E-Mail w/ Attachment	K. Green, NRC/NRR	Email sending draft RAI Attachment: Draft RAI	3
DP-53-023	ML13154A144	D. Nguyen, NRC/NRR	2013/06/03 Indian Point LR Hearing - Indian Point LRA - Updated to MEB Program Scope Request	06/03/2013	E-Mail w/ Attachment	M. Marshall, NRC/NRR	Internal discussion regarding draft RAI Attachment: Draft RAI	3
DP-53-024	ML13154A139	W. Gardner, NRC/NRR	2013/06/03 Indian Point LR Hearing - Indian Point SER	06/03/2013	E-Mail	K. Green, NRC/NRR	Email forwarding internal discussion of LRA amendment Attachment: Internal discussion of LRA amendment	3

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ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Estimated Page Count
DP-53-025	ML13154A135	D. Morey, NRC/NRR	2013/06/03 Indian Point LR Hearing - RE: ACTION: For Review and Approval: Indian Point Follow-Up RAI on Activities for Future Consideration of Op. Exp.	06/03/2013	E-Mail	M. Homiack, NRC/NRR	Internal discussion regarding draft RAI	2
DP-53-026	ML13154A141	W. Holston, NRC/NRR	2013/06/03 Indian Point LR Hearing - RE: Indian Point LRA Amendments and Responses to RAIs	06/03/2013	E-Mail	S. Bloom, NRC/NRR K. Green, NRC/NRR W. Gardner, NRC/NRR	Internal discussion regarding SER input	3
DP-53-027	ML13154A136	J. Poehler, NRC/NRR	2013/06/03 Indian Point LR Hearing - RE:	06/03/2013	E-Mail	J. Medoff, NRC/NRR D. Morey, NRC/NRR S. Min, NRC/NRR K. Green, NRC/NRR A. Hiser, NRC/NRR	Internal discussion regarding review of RAI responses	3

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ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Estimated Page Count
DP-53-028	ML13154A057	S. Min, NRC/NRR	2013/06/03 Indian Point LR Hearing - RE:	06/03/2013	E-Mail	J. Medoff, NRC/NRR D. Morey, NRC/NRR K. Green, NRC/NRR J. Poehler, NRC/NRR A. Hiser, NRC/NRR	Internal discussion regarding review of RAI responses	3
DP-53-029	ML13154A048	J. Medoff, NRC/NRR	2013/06/03 Indian Point LR Hearing - RE:	06/03/2013	E-Mail	D. Morey, NRC/NRR S. Min, NRC/NRR K. Green, NRC/NRR J. Poehler, NRC/NRR A. Hiser, NRC/NRR	Internal discussion regarding review of RAI responses	3
DP-53-030	ML13154A137	J. Poehler, NRC/NRR	2013/06/03 Indian Point LR Hearing - RE:	06/03/2013	E-Mail	D. Morey, NRC/NRR S. Rosenberg, NRC/NRR K. Green, NRC/NRR	Internal discussion regarding review of RAI responses	2
DP-53-031	ML13155A071	J. Poehler, NRC/NRR	2013/06/04 Indian Point LR Hearing - Additional Questions for Telecon Today	06/04/2013	E-Mail	K. Green, NRC/NRR	Internal discussion regarding review of RAI responses	2

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ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Estimated Page Count
DP-53-032	ML13155A449	D. Nguyen, NRC/NRR	2013/06/04 Indian Point LR Hearing - RAI - IP AMP TRP52 Metal Enclosed Bus Inspection Program (1 RAI)	06/04/2013	E-Mail w/ Attachment	M. Marshall, NRC/NRR	Email sending revisions to draft RAI Attachment: Draft RAI	3
DP-53-033	ML13155A073	J. Poehler, NRC/NRR	2013/06/04 Indian Point LR Hearing - RE: Additional Questions for Telecon Today	06/04/2013	E-Mail	J. Poehler, NRC/NRR K. Green, NRC/NRR	Internal discussion regarding review of RAI responses	2
DP-53-034	ML13155A452	A. Sheikh, NRC/NRR	2013/06/04 Indian Point LR Hearing - RE: Electronic Copies of Indian Point Letters	06/04/2013	E-Mail	M. Marshall, NRC/NRR K. Green, NRC/NRR	Internal discussion regarding SER supplement	2
DP-53-035	ML13155A517	K. Green, NRC/NRR	2013/06/04 Indian Point LR Hearing - RE: Electronic Copies of Indian Point Letters	06/04/2013	E-Mail	A. Sheikh, NRC/NRR	Internal discussion regarding SER supplement	3
DP-53-036	ML13155A515	A. Sheikh, NRC/NRR	2013/06/04 Indian Point LR Hearing - RE: Electronic Copies of Indian Point Letters	06/04/2013	E-Mail	K. Green, NRC/NRR	Internal discussion regarding SER supplement	3
DP-53-037	ML13155A514	K. Green, NRC/NRR	2013/06/04 Indian Point LR Hearing - RE: Electronic Copies of Indian Point Letters	06/04/2013	E-Mail	A. Sheikh, NRC/NRR M. Marshall, NRC/NRR	Internal discussion regarding SER supplement	3

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ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Estimated Page Count
DP-53-038	ML13155A516	K. Green, NRC/NRR	2013/06/04 Indian Point LR Hearing - RE: Four questions	06/04/2013	E-Mail	D. Pickett, NRC/NRR S. Turk, NRC/OGC	Internal discussion regarding FSAR update	3
DP-53-039	ML13155A016	M. Marshall, NRC/NRR	2013/06/04 Indian Point LR Hearing - RE: Indian Point LRA - Updated to MEB Program Scope Request	06/04/2013	E-Mail	D. Nguyen, NRC/NRR	Internal discussion regarding draft RAI	2
DP-53-040	ML13157A161	D. Morey, NRC/NRR	2013/06/05 Indian Point LR Hearing - FW: TLAA input to the Indian Point license renewal inspection (May2013)	06/05/2013	E-Mail w/ Attachments	G. Meyer, NRC/R-I C. Ng, NRC/NRR	Internal discussion regarding TLAA input Attachments: Draft revisions to TLAA input	6
DP-53-041	ML13161A085	S. Min, NRC/NRR	2013/06/10 Indian Point LR Hearing - Draft Response to the IP CASS ROI	06/10/2013	E-Mail w/ Attachment	J. Medoff, NRC/NRR	Email forwarding draft response Attachment: Draft response to Indian Point CASS Report of Interaction (ROI)	5

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ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Estimated Page Count
DP-53-042	ML13161A083	D. Pickett, NRC/NRR	2013/06/10 Indian Point LR Hearing - RE: ASME Section XI ISI of RVI for IP2 and IP3	06/10/2013	E-Mail	J. Poehler, NRC/NRR	Internal discussion regarding in-service inspection of RVI for IP2 and IP3	2
DP-53-043	ML13161A185	S. Min, NRC/NRR	2013/06/10 Indian Point LR Hearing - RE: ROI Response	06/10/2013	E-Mail w/ Attachment	J. Medoff, NRC/NRR	Internal discussion regarding revisions to ROI response Attachment: Draft response to Indian Point CASS ROI	5
DP-53-044	ML13161A235	M. Marshall, NRC/NRR	2013/06/10 Indian Point LR Hearing - RESPONSE: Indian Point MEB LRA Change (MD5695 and MD5696)	06/10/2013	E-Mail w/ Attachment	K. Green, NRC/NRR D. Nguyen, NRC/NRR Y. Diaz-Sanabria, NRC/NRR	Internal discussion regarding draft RAI Attachment: Draft RAI	4
DP-53-045	ML13162A548	K. Green, NRC/NRR	2013/06/11 Indian Point LR Hearing - IP RAI Set 2013-2	06/11/2013	E-Mail	Y. Diaz-Sanabria, NRC/NRR L. Pope, NRC/NRR	Internal discussion regarding draft RAI	2

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
DP-53-046	ML13162A759	K. Green, NRC/NRR	2013/06/11 Indian Point LR Hearing - RE: Four questions	06/11/2013	E-Mail	D. Pickett, NRC/NRR S. Turk, NRC/NRR	Internal discussion regarding FSAR update	3
DP-53-047	ML13170A219	J. Poehler, NRC/NRR	2013/06/19 Indian Point LR Hearing - FW: rewording of the request	06/19/2013	E-Mail	S. Rosenberg, NRC/NRR	Internal discussion regarding draft RAI	3
DP-53-048	ML13170A102	L. James, NRC/NRR	2013/06/19 Indian Point LR Hearing - FW: Supplement to the IP Final SEIS	06/19/2013	E-Mail	A. Simmons, NRC/NRR/ M. Wong, NRC/NRR S. Turk, NRC/OGC I. King, NRC/NRR R. Green, NRC/NRR	Email forwarding draft FSEIS supplement Attachment: Draft FSEIS supplement notice of availability and FRN	11
DP-53-049	ML13170A220	W. Gardner, NRC/NRR	2013/06/19 Indian Point LR Hearing - IP One-Time Inspection RAI	06/19/2013	E-Mail	W. Holston, NRC/NRR	Internal discussion regarding draft RAI	2
DP-53-050	ML13170A221	S. Rosenberg, NRC/NRR	2013/06/19 Indian Point LR Hearing - RE: rewording of the request	06/19/2013	E-Mail	J. Poehler, NRC/NRR	Internal discussion regarding draft RAI	3

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
DP-53-051	ML13170A104	K. Green, NRC/NRR	2013/06/19 Indian Point LR Hearing - rewording of the request	06/19/2013	E-Mail	J. Poehler, NRC/NRR	Internal discussion regarding draft RAI	2
DP-53-052	ML13164A377	S. Rosenberg, NRC/NRR	Indian Point, Units 2 & 3, Follow-up Request for Additional Inspection Related to Amendment 9 to License Renewal Application - Reactor Vessel Internals Program and the Reactor Vessel Internals Inspection Plan.	06/20/2013	Memoranda	Y. Diaz-Sanabria, NRC/NRR	Internal memorandum regarding follow-up RAIs Attachment: Draft RAI	6

June 28, 2013

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))

DECLARATION OF DAVID PELTON

I, David Pelton, do hereby state as follows:

1. I am employed as the Acting 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 53.

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 53.

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)
David Pelton

Executed in Rockville, Maryland
this 28th day of June, 2013

June 28, 2013

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))	

AFFIDAVIT OF KIMBERLY J. GREEN CONCERNING
MANDATORY DISCLOSURE REQUIREMENT OF 10 C.F.R. § 2.336(b)

I, Kimberly J. Green, do hereby state as follows:

1. I am employed as a Senior Mechanical Engineer in the Division of License Renewal in the U.S. Nuclear Regulatory Commission’s (“NRC”) Office of Nuclear Reactor Regulation. I serve as the hearing file project manager for the Indian Point Nuclear Generating Units 2 and 3 license renewal application (“LRA”). Among other things, I am assisting with the preparation of the hearing file and mandatory disclosures in connection with the LRA at issue in this proceeding.

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 June 21, 2013.

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)
Kimberly J. Green

Executed in Rockville, Maryland
this 28th day of June 2013

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))

CERTIFICATE OF SERVICE

Pursuant to 10 C.F.R § 2.305 (revised), 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 53, Attachment 2 – Indian Point License Renewal Hearing File Index Supplement 53 – Deliberative Process Privilege, Declaration of David Pelton, dated June 28, 2013, and Affidavit of Kimberly J. Green, dated June 28, 2013, in the above-captioned proceeding have been served upon the Electronic Information Exchange, the NRC’s E-Filing System, this 28th day of June, 2013.

Signed (electronically) by

Anita Ghosh
Counsel for NRC Staff
U.S. Nuclear Regulatory Commission
Office of the General Counsel
Mail Stop – O-15D21
Washington, DC 20555
Telephone: (301) 415-4113
E-mail: anita.ghosh@nrc.gov
Date of signature: June 28, 2013