

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Lawrence G. McDade, Chairman
Dr. Michael F. Kennedy
Dr. Richard E. Wardwell

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

ASLBP No. 07-858-03-LR-BD01

July 9, 2013

ORDER

(Establishing Deadline for Motions for New and Amended Contentions)

On June 12, 2013, the Board issued an order informing the parties that they have “10 days after the publication of the forthcoming FSEIS to inform the Board whether 30 days will be sufficient time to file motions for new and amended contentions.”¹ The FSEIS Supplement was published and made available on June 21, 2013. On July 1, 2013, the State of New York (New York) and Riverkeeper, Inc. (Riverkeeper) informed the Board that 30 days is not an adequate amount of time to prepare new or amended contentions.² New York requests 90 days and

¹ See Licensing Board Order (Granting New York’s Motions, Denying Clearwater’s Motion, and Denying CZMA Motions) (June 12, 2013) at 5 (unpublished).

² See State of New York’s Submission Regarding Schedule in Response to Atomic Safety and Licensing Board’s June 12, 2013 Order (July 1, 2013) [hereinafter New York Request]; Letter from Counsel for Riverkeeper, Inc., to Lawrence G. McDade, Chairman, Dr. Michael F. Kennedy, and Dr. Richard Wardwell, Atomic Safety and Licensing Board (July 1, 2013) [hereinafter Riverkeeper Request].

Riverkeeper requests 45 days to prepare new or amended contentions.³ Entergy suggests that 30 days is adequate.⁴

After reviewing the parties' requests, and given that the FSEIS Supplement is limited to one subject area (addressed in Contention RK-EC-8), the Board directs that new or amended contentions arising from the recently published FSEIS Supplement will be considered timely if filed on or before August 20, 2013.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

Lawrence G. McDade, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
July 9, 2013

³ New York Request at 2; Riverkeeper Request at 2.

⁴ Tr. at 4544.

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (Establishing Deadline for Motions for New and Amended Contentions)** have been served upon the following persons by Electronic Information Exchange.

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[Original signed by Clara I. Sola]

Office of the Secretary of the Commission

Dated at Rockville, Maryland

this 9th day of July 2013