

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	Docket Nos. 50-247-LR and 50-286-LR
ENTERGY NUCLEAR OPERATIONS, INC.	ASLBP No. 07-858-03-LR-BD01
(Indian Point Nuclear Generating Units 2 and 3)	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Board Order (Granting New York’s Motions, Denying Clearwater’s Motion, and Denying CZMA Motions) (June 12, 2013) at 5 (unpublished).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.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
)
) Docket Nos. 50-247-LR
) and 50-286-LR
(Indian Point Nuclear Generating,)
Units 2 and 3))

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.

U.S. Nuclear Regulatory Commission
Office of Commission Appellate Adjudication
Mail Stop O-7H4M
Washington, DC 20555-0001
ocaamail@nrc.gov

U.S. Nuclear Regulatory Commission
Office of the Secretary of the Commission
Mail Stop O-16C1
Washington, DC 20555-0001
hearingdocket@nrc.gov
U.S. Nuclear Regulatory Commission
Atomic Safety and Licensing Board Panel
Mail Stop T-3F23
Washington, DC 20555-0001

Lawrence G. McDade, Chair
Administrative Judge
lawrence.mcdade@nrc.gov

Richard E. Wardwell
Administrative Judge
richard.wardwell@nrc.gov

Michael F. Kennedy
Administrative Judge
michael.kennedy@nrc.gov

Shelbie Lewman, Law Clerk
James Maltese, Law Clerk
Carter Thurman, Law Clerk
shelbie.lewman@nrc.gov
james.maltese@nrc.gov
carter.thurman@nrc.gov

Edward L. Williamson, Esq.
Beth N. Mizuno, Esq.
David E. Roth, Esq.
Sherwin E. Turk, Esq.
Brian Harris, Esq.
Mary B. Spencer, Esq.
Anita Ghosh, Esq.
John Tibbetts, Paralegal
U.S. Nuclear Regulatory Commission
Office of the General Counsel
Mail Stop O-15D21
Washington, DC 20555-0001
sherwin.turk@nrc.gov;
edward.williamson@nrc.gov
beth.mizuno@nrc.gov; brian.harris@nrc.gov
david.roth@nrc.gov; mary.spencer@nrc.gov
anita.ghosh@nrc.gov; john.tibbetts@nrc.gov

OGC Mail Center
OGCMailCenter@nrc.gov

William C. Dennis, Esq.
Assistant General Counsel
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601
wdennis@entergy.com

William B. Glew, Jr.
Organization: Entergy
440 Hamilton Avenue, White Plains, NY 10601
wglew@entergy.com

ORDER (Establishing Deadline for Motions for New and Amended Contentions)

Elise N. Zoli, Esq.
Goodwin Procter, LLP
Exchange Place, 53 State Street
Boston, MA 02109
ezoli@goodwinprocter.com

Thomas F. Wood, Esq.
Daniel Riesel, Esq.
Victoria Shiah Treanor, Esq.
Adam Stolorow, Esq.
Jwala Gandhi, Paralegal
Peng Deng, Paralegal
Counsel for Town of Cortlandt
Sive, Paget & Riesel, P.C.
460 Park Avenue
New York, NY 10022
driesel@sprlaw.com; vtreanor@sprlaw.com
astolorow@sprlaw.com; jgandhi@sprlaw.com
pdeng@sprlaw.com

Kathryn M. Sutton, Esq.
Paul M. Bessette, Esq.
Martin J. O'Neill, Esq.
Raphael Kuyler, Esq.
Jonathan M. Rund, Esq.
Lena Michelle Long, Esq.
Laura Swett, Esq.
Lance Escher, Esq.
Mary Freeze, Legal Secretary
Antoinette Walker, Legal Secretary
Doris Calhoun, Legal Secretary
Morgan, Lewis & Bockius, LLP
1111 Pennsylvania Avenue, NW
Washington, DC 20004
ksutton@morganlewis.com
martin.oneill@morganlewis.com
rkuyler@morganlewis.com;
jrund@morganlewis.com
llong@morganlewis.com;
lswett@morganlewis.com
lescher@morganlewis.com
mfreeze@morganlewis.com
awalker@morganlewis.com
dcalhoun@morganlewis.com

Phillip Musegaas, Esq.
Deborah Brancato, Esq.
Ramona Cearley, Secretary
Riverkeeper, Inc.
20 Secor Road
Ossining, NY 10562
phillip@riverkeeper.org;
dbrancato@riverkeeper.org
rcearley@riverkeeper.org

Melissa-Jean Rotini, Esq.
Assistant County Attorney
Office of Robert F. Meehan,
Westchester County Attorney
148 Martine Avenue, 6th Floor
White Plains, NY 10601
mjr1@westchestergov.com

Clint Carpenter, Esq.
Bobby Burchfield, Esq.
Matthew Leland, Esq.
McDermott, Will and Emery LLP
600 13th Street, NW
Washington, DC 20005
ccarpenter@mwe.com; bburchfield@mwe.com
mleland@mwe.com

Matthew W. Swinehart, Esq.
Covington & Burling LLP
1201 Pennsylvania Avenue, NW
Washington, DC 20004
mswinehart@cov.com

Edward F. McTiernan, Esq.
New York State Department
of Environmental Conservation
Office of General Counsel
625 Broadway
14th Floor
Albany, NY 12233-1500
efmctier@gw.dec.state.ny.us

Docket Nos. 50-247-LR and 50-286-LR

ORDER (Establishing Deadline for Motions for New and Amended Contentions)

Manna Jo Greene, Environmental Director

Steven C. Filler

Karla Raimundi

Hudson River Sloop Clearwater, Inc.

724 Wolcott Ave.

Beacon, NY 12508

mannajo@clearwater.org;

stephenfiller@gmail.com

karla@clearwater.org

Robert D. Snook, Esq.

Assistant Attorney General

Office of the Attorney General

State of Connecticut

55 Elm Street

P.O. Box 120

Hartford, CT 06141-0120

robert.snook@po.state.ct.us

Richard Webster, Esq.

Public Justice, P.C.

For Hudson River Sloop Clearwater, Inc.

1825 K Street, NW, Suite 200

Washington, D.C. 20006

rwebster@publicjustice.net

Janice A. Dean, Esq.

Kathryn Liberatore, Esq.

Assistant Attorney General

Office of the Attorney General

of the State of New York

120 Broadway, 26th Floor

New York, New York 10271

janice.dean@ag.ny.gov

kathryn.liberatore@ag.ny.gov

Michael J. Delaney, Esq.

Director, Energy Regulatory Affairs

NYC Department of Environmental Protection

59-17 Junction Boulevard

Flushing, NY 11373

mdelaney@dep.nyc.gov

Sean Murray, Mayor

Kevin Hay, Village Administrator

Village of Buchanan

Municipal Building

236 Tate Avenue

Buchanan, NY 10511-1298

smurray@villageofbuchanan.com

administrator@villageofbuchanan.com

John J. Sipos, Esq.

Charles Donaldson, Esq.

Assistant Attorneys General

Office of the Attorney General

of the State of New York

Elyse Houle, Legal Support

The Capitol, State Street

Albany, New York 12224

john.sipos@ag.ny.gov

charlie.donaldson@ag.ny.gov

elyse.houle@ag.ny.gov

[Original signed by Clara I. Sola]

Office of the Secretary of the Commission

Dated at Rockville, Maryland

this 9th day of July 2013