



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555 - 0001

July 31, 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 54 is appended hereto as Attachment 1.

On or about August 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 54" 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 Melanie A. Galloway formally invoking the deliberative process privilege with respect to the documents in Attachment 2. The

Judge McDade
Judge Kennedy
Judge Wardwell

- 2 -

July 31, 2013

Staff will 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 July 25, 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 54
Attachment 2 - Deliberative Process Privilege Log
Declaration of Melanie A. Galloway
Affidavit of Kimberly J. Green

cc w/Encls.: Service List

Attachment 1 - Indian Point License Renewal Hearing File Index
 Supplement 54 – July 31, 2013

ID#	Accession Number	Document Date	Title
54-0001	ML13176A471	06/25/2013	2013/06/25 Indian Point LR Hearing - RE: Draft Telecon Summary for Call on June 4, 2013
54-0002	ML13177A130	06/26/2013	2013/06/26 Indian Point LR Hearing - Draft RAI on change to MEB program
54-0003	ML13178A327	06/27/2013	2013/06/27 Indian Point LR Hearing - RE: Draft RAI on change to MEB program
54-0004	ML13184A289	06/27/2013	2013/06/27 Indian Point LR Hearing - RE: Draft RAI on change to MEB program
54-0005	ML13178A330	06/27/2013	2013/06/27 Indian Point LR Hearing - RE: Draft RAI on change to MEB program
54-0006	ML13179A134	06/28/2013	2013/06/28 Indian Point LR Hearing - Indian Point: final supplement to FSEIS available
54-0007	ML13179A135	06/28/2013	2013/06/28 Indian Point LR Hearing - Indian Point Supplement available
54-0008	ML13179A081	06/28/2013	2013/06/28 Indian Point LR Hearing - RE: Draft RAI on change to MEB program
54-0009	ML13182A329	07/01/2013	2013/07/01 Indian Point LR Hearing - RE: Call Information for July 2nd phone call
54-0010	ML13184A288	07/01/2013	2013/07/01 Indian Point LR Hearing - RE: Call Information for July 2nd phone call
54-0011	ML13182A394	07/01/2013	2013/07/01 Indian Point LR Hearing - RE: Call Information for July 2nd phone call
54-0012	ML13184A290	07/01/2013	2013/07/01 Indian Point LR Hearing - RE: Call Information for July 2nd phone call
54-0013	ML13183A557	07/02/2013	2013/07/02 Indian Point LR Hearing - Draft Telecon Summary for Call on July 2, 2013
54-0014	ML13183A555	07/02/2013	2013/07/02 Indian Point LR Hearing - RE: Call Information for July 2nd phone call - Entergy Participants
54-0015	ML13184A287	07/02/2013	2013/07/02 Indian Point LR Hearing - RE: Call Information for July 2nd phone call - Entergy Participants
54-0016	ML13184A230	07/03/2013	2013/07/03 Indian Point LR Hearing - RE: Draft Telecon Summary for Call on July 2, 2013
54-0017	ML13184A227	07/03/2013	2013/07/03 Indian Point LR Hearing - RE: Draft Telecon Summary for Call on July 2, 2013
54-0018	ML13189A121	07/05/2013	2013/07/05 Indian Point LR Hearing - Indian Point: Desalination Plant for Drinking Water Within 3.5 Miles of Indian Point (TAC MF2267 and MF2268)
54-0019	ML13191B322	07/10/2013	2013/07/10 Indian Point LR Hearing - Draft RAI on Reactor Vessel Internals Inspection Plan
54-0020	ML13192A036	07/11/2013	2013/07/11 Indian Point LR Hearing - RE: Draft RAI on Reactor Vessel Internals Inspection Plan
54-0021	ML13196A271	07/15/2013	2013/07/15 Indian Point LR Hearing - IPEC License Renewal - Correction to a Previous Buried Piping Submittal
54-0022	ML13196A268	07/15/2013	2013/07/15 Indian Point LR Hearing - RE: Draft RAI on Reactor Vessel Internals Inspection Plan
54-0023	ML13196A269	07/15/2013	2013/07/15 Indian Point LR Hearing - RE: Draft RAI on Reactor Vessel Internals Inspection Plan
54-0024	ML13196A267	07/15/2013	2013/07/15 Indian Point LR Hearing - RE: Draft RAI on Reactor Vessel Internals Inspection Plan
54-0025	ML13197A467	07/16/2013	2013/07/16 Indian Point LR Hearing - RE: Draft RAI on Reactor Vessel Internals Inspection Plan
54-0026	ML13198A579	07/17/2013	2013/07/17 Indian Point LR Hearing - RAI letter on 480V MEB
54-0027	ML13198A126	07/17/2013	2013/07/17 Indian Point LR Hearing - RE: Draft RAI on Reactor Vessel Internals Inspection Plan
54-0028	ML13198A062	07/17/2013	2013/07/17 Indian Point LR Hearing - RE: Draft RAI on Reactor Vessel Internals Inspection Plan
54-0029	ML13198A247	07/17/2013	2013/07/17 Indian Point LR Hearing - RE: Draft RAI on Reactor Vessel Internals Inspection Plan

Attachment 1 - Indian Point License Renewal Hearing File Index
 Supplement 54 – July 31, 2013

ID#	Accession Number	Document Date	Title
54-0030	ML13199A019	07/17/2013	2013/07/17 Indian Point LR Hearing - RE: RAI letter on 480V MEB
54-0031	ML13200A372	07/19/2013	2013/07/19 Indian Point LR Hearing - List of Participants
54-0032	ML13200A132	07/19/2013	2013/07/19 Indian Point LR Hearing - NMFS letter regarding final supplemental EIS report
54-0033	ML13203A110	07/22/2013	2013/07/22 Indian Point LR Hearing - RE: List of Participants
54-0034	ML13203A107	07/22/2013	2013/07/22 Indian Point LR Hearing - Telecon Summary for 7-19-13 Call on DRAIs for RVI Program and Inspection Plan
54-0035	ML13203A108	07/22/2013	2013/07/22 Indian Point LR Hearing - the InfoGram on the Clevis Insert Cap Screws
54-0036	ML13205A022	07/24/2013	2013/07/24 Indian Point LR Hearing - RE: Telecon Summary for 7-19-13 Call on DRAIs for RVI Program and Inspection Plan
54-0037	ML13205A088	07/24/2013	2013/07/24 Indian Point LR Hearing - Revised draft telecon summary for phone call on 7-19-13
54-0038	ML13206A257	07/25/2013	2013/07/25 Indian Point LR Hearing - IPEC License Renewal - Response to RAIs SET 2013-02 (Catholic Protection etc)
54-0039	ML13186A179	07/05/2013	IR 05000247-13-009; 05/6/2013 to 05/23/2013; Indian Point Nuclear Generating Unit 2; License Renewal Team Inspection.
54-0040	ML13171A368	07/02/2013	June 4, 2013, Summary of Conference Call Held between NRC and Entergy, Concerning Responses to RAI's Regarding the Reactor Vessel Internals Program at IP Nuclear Generating Unit Nos. 2 and 3.
54-0041	ML13123A275	07/03/2013	National Marine Fisheries Service's Biological Opinion for Continued Operation of Indian Point Nuclear Generation Unit Nos. 2 and 3.
54-0042	ML13176A158	06/25/2013	Press Release-13-054; NRC Issues Supplement to Final Environmental Study For Indian Point Nuclear Plant License Renewal Application.
54-0043	ML13134A367	07/19/2013	Indian Point PM Change Letter.
54-0044	ML13200A094	07/18/2013	M. Colligan, NMFS, to J. Lubinski, NRC, Comments on Final SEIS for Indian Point License Renewal and Status of Biological Opinion Monitoring Plan.
54-0045	ML13186A169	07/17/2013	Request for Additional Information for the Review of the Indian Point Nuclear Generating Unit Nos. 2 and 3, License Renewal Application, Set 2013 03 (TAC Nos. MD5407 and MD5408).
54-0046	ML13162A604	06/20/2013	FRN for Notice of Availability of the Supplement the Final Plant-Specific Suppl 38, Vol 4, to the GEIS for License Renewal of Nuclear Plants Regarding Indian Point Nuclear Generating Unit Nos. 2 and 3 (TAC Nos. MD5411 AND MD5412).

Attachment 2 - Indian Point License Renewal Hearing File Index
 Deliberative Process Privilege, Supplement 54 – July 31, 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-54-001	ML13175A209	K. Green, NRC/NRR	2013/06/24 Indian Point LR Hearing - Wording of draft RAI	06/24/2013	E-Mail	Y. Diaz-Sanabria, NRC/NRR	Internal discussion regarding draft RAI	3
DP-54-002	ML13176A119	W. Holston, NRC/NRR	2013/06/25 Indian Point LR Hearing - FW: IP RAI	06/25/2013	E-Mail	W. Gardner, NRC/NRR S. Bloom, NRC/NRR	Internal discussion regarding draft RAI	2
DP-54-003	ML13176A239	L. James, NRC/NRR	2013/06/25 Indian Point LR Hearing - FW: IP SAMA Cost Beneficial Activity Timeline	06/25/2013	E-Mail w/ Attachment	D. Harrison, NRC/NRR T. Tam, NRC/NRR J. Parillo, NRC/NRR S. Turk, NRC/OGC B. Harris, NRC/OGC	Internal discussion regarding Staff review of revised SAMA cost estimates Attachment: Estimated schedule and internal discussion of Staff's review of SAMA cost estimate	4

Attachment 2 - Indian Point License Renewal Hearing File Index
 Deliberative Process Privilege, Supplement 54 – July 31, 2013

ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Estimated Page Count
DP-54-004	ML13176A072	L. James, NRC/NRR	2013/06/25 Indian Point LR Hearing - Schedule for Indian Point CZMA Consultation	06/25/2013	E-Mail w/ Attachment	S. Turk, NRC/OGC K. Green, NRC/NRR M. Wong, NRC/NRR M. Moser, NRC/NRR	Internal discussion regarding CZMA consultation Attachment: Estimated schedule and internal discussion of Staff's review of CZMA	3
DP-54-005	ML13179A370	K. Green, NRC/NRR	2013/06/28 Indian Point LR Hearing - wording of RAI	06/28/2013	E-Mail	A. Hiser, NRC/NRR	Internal discussion regarding draft RAI	3
DP-54-006	ML13182A670	J. Poehler, NRC/NRR	2013/07/01 Indian Point LR Hearing - Proposed Revised Wording RAI 11-A	07/01/2013	E-Mail w/ Attachment	S. Rosenberg, NRC/NRR	Email forwarding revisions to draft RAI Attachment: Draft RAI	3
DP-54-007	ML13182A573	K. Green, NRC/NRR	2013/07/01 Indian Point LR Hearing - proposed wording of draft RAI regarding Commitment 47 change	07/01/2013	E-Mail	J. Poehler, NRC/NRR	Internal discussion regarding draft RAI	2

Attachment 2 - Indian Point License Renewal Hearing File Index
 Deliberative Process Privilege, Supplement 54 – July 31, 2013

ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Estimated Page Count
DP-54-008	ML13182A671	J. Poehler, NRC/NRR	2013/07/01 Indian Point LR Hearing - RE: proposed wording of draft RAI regarding Commitment 47 change	07/01/2013	E-Mail w/ Attachment	K. Green, NRC/NRR S. Rosenberg, NRC/NRR	Email sending revisions to draft RAI Attachment: Draft RAI	4
DP-54-009	ML13183A571	S. Turk, NRC/OGC	2013/07/02 Indian Point LR Hearing - RE: Request Legal Assistance RE: IP2 Timely Renewal	07/02/2013	E-Mail w/ Attachment	K. Green, NRC/NRR D. Pickett, NRC/NRR Y. Diaz-Sanabria, NRC/NRR J. Trapp, NRC/RGN-I R. Beall, NRC/NRR S. Rutenkroger, NRC/RGN-I B. Harris, NRC/OGC D. Roth, NRC/OGC A. Ghosh, NRC/OGC B. Mizuno, NRC/OGC E. Williamson, NRC/OGC M. Spencer, NRC/OGC	Internal discussion regarding comments to Indian Point timely renewal UFSAR questions Attachment: Draft response to Indian Point timely renewal UFSAR questions [Also withheld under the Attorney-Client privilege]	7

Attachment 2 - Indian Point License Renewal Hearing File Index
 Deliberative Process Privilege, Supplement 54 – July 31, 2013

ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Estimated Page Count
DP-54-010	ML13183A421	K. Green, NRC/NRR	2013/07/02 Indian Point LR Hearing - RE: Request Legal Assistance RE: IP2 Timely Renewal	07/02/2013	E-Mail w/ Attachment	D. Pickett, NRC/NRR S. Turk, NRC/OGC Y. Diaz-Sanabria, NRC/NRR J. Trapp, NRC/RGN-I R. Beall, NRC/NRR S. Rutenkroger, NRC/RGN-I	Internal discussion regarding comments to Indian Point timely renewal UFSAR questions Attachment: Draft response to Indian Point timely renewal UFSAR questions [Also withheld under the Attorney-Client privilege]	4
DP-54-011	ML13184A026	K. Green, NRC/NRR	2013/07/03 Indian Point LR Hearing - need to meet	07/03/2013	E-Mail	Y. Diaz-Sanabria, NRC/NRR	Internal discussion regarding draft RAIs	2

Attachment 2 - Indian Point License Renewal Hearing File Index
 Deliberative Process Privilege, Supplement 54 – July 31, 2013

ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Estimated Page Count
DP-54-012	ML13186A146	D. Pickett, NRC/NRR	2013/07/05 Indian Point LR Hearing - FW: Request Legal Assistance RE: IP2 Timely Renewal	07/05/2013	E-Mail w/ Attachment	Y. Diaz-Sanabria, NRC/NRR K. Green, NRC/NRR S. Rutenkroger, NRC/RGN-I J. Trapp, NRC/RGN-I S. Turk, NRC/OGC R. Beall, NRC/NRR	Internal discussion regarding comments to Indian Point timely renewal UFSAR questions Attachment: Draft response to Indian Point timely renewal UFSAR questions [Also withheld under the Attorney-Client privilege]	6

Attachment 2 - Indian Point License Renewal Hearing File Index
 Deliberative Process Privilege, Supplement 54 – July 31, 2013

ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Estimated Page Count
DP-54-013	ML13189A124	D. Pickett, NRC/NRR	2013/07/08 Indian Point LR Hearing - Followup Assistance Required for G20130435	07/08/2013	E-Mail w/ Attachments	U. Shoop, NRC/NRR J. Dozier, NRC/NRR P. Craver, NRC/NRR R. Beall, NRC/NRR S. Turk, NRC/OGC	Internal discussion regarding public inquiries Attachments: Letter regarding Desalination plant for drinking water near Indian Point [Available in public disclosures: 54-0018 (ML13189A271)]; Email concerning operating reactor radiation doses	2
DP-54-014	ML13196A272	W. Gardner, NRC/NRR	2013/07/15 Indian Point LR Hearing - IP RAI	07/15/2013	E-Mail	W. Holston, NRC/NRR	Internal discussion regarding draft RAI	2
DP-54-015	ML13196A138	W. Gardner, NRC/NRR	2013/07/15 Indian Point LR Hearing - IP SER ready for review	07/15/2013	E-Mail	W. Holston, NRC/NRR	Internal discussion regarding revisions to draft SER input	2

Attachment 2 - Indian Point License Renewal Hearing File Index
 Deliberative Process Privilege, Supplement 54 – July 31, 2013

ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Estimated Page Count
DP-54-016	ML13197A382	W. Holston, NRC/NRR	2013/07/16 Indian Point LR Hearing - IP 7/15/13 Amendment Letter - portions related to buried piping	07/16/2013	E-Mail	S. Bloom, NRC/NRR K. Green, NRC/NRR	Internal discussion regarding revisions to draft SER input	2
DP-54-017	ML13197A237	W. Holston, NRC/NRR	2013/07/16 Indian Point LR Hearing - Peer Review	07/16/2013	E-Mail w/ Attachment	J. Wise, NRC/NRR	Internal discussion regarding Staff evaluation of Entergy letter Attachment: Entergy letter NL-12-123 [Available in public disclosures: 54-0021 (ADAMS Accession No. ML13196A271)]	8

Attachment 2 - Indian Point License Renewal Hearing File Index
 Deliberative Process Privilege, Supplement 54 – July 31, 2013

ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Estimated Page Count
DP-54-018	ML13198A425	S. Bloom, NRC/NRR	2013/07/17 Indian Point LR Hearing - FW: IP AMP and AMR SER Input Buried and underground piping and tanks- update letters through July 15, 2013 Holston Wise.docx	07/17/2013	E-Mail w/ Attachment	Y. Diaz-Sanabria, NRC/NRR K. Green, NRC/NRR C. Spruill, NRC/NRR W. Holston, NRC/NRR W. Gardner, NRC/NRR	Internal discussion regarding Draft Staff AMP and AMR SER input regarding buried and underground piping and tanks Attachment: Draft Staff AMP and AMR SER input regarding buried and underground piping and tanks	11
DP-54-019	ML13198A580	W. Holston, NRC/NRR	2013/07/17 Indian Point LR Hearing - Reformatted SER Input for IP Buried Pipe Change Letters	07/17/2013	E-Mail	S. Bloom, NRC/NRR K. Green, NRC/NRR	Internal discussion regarding draft SER input	2

Attachment 2 - Indian Point License Renewal Hearing File Index
Deliberative Process Privilege, Supplement 54 – July 31, 2013

ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Estimated Page Count
DP-54-020	ML13199A022	S. Bloom, NRC/NRR	2013/07/18 Indian Point LR Hearing - IP AMP and AMR SER Input Buried and underground piping and tanks- update letters through July 15, 2013 Holston Reformatted for PM.docx	07/18/2013	E-Mail w/ Attachment	Y. Diaz-Sanabria, NRC/NRR K. Green, NRC/NRR C. Spruill, NRC/NRR W. Holston, NRC/NRR W. Gardner, NRC/NRR	Internal discussion regarding Draft Staff AMP and AMR SER input regarding buried and underground piping and tanks Attachment: Draft Staff AMP and AMR SER input regarding buried and underground piping and tanks	8
DP-54-021	ML13199A101	W. Holston, NRC/NRR	2013/07/18 Indian Point LR Hearing - IP SER Input format	07/18/2013	E-Mail	W. Gardner, NRC/NRR K. Green, NRC/NRR	Internal discussion regarding draft SER input	2
DP-54-022	ML13199A018	S. Bloom, NRC/NRR	2013/07/18 Indian Point LR Hearing - RE: Reformatted SER Input for IP Buried Pipe Change Letters	07/18/2013	E-Mail	W. Holston, NRC/NRR K. Green, NRC/NRR	Internal discussion regarding draft SER input	2
DP-54-023	ML13205A349	W. Gardner, NRC/NRR	2013/07/24 Indian Point LR Hearing - RAI	07/24/2013	E-Mail	K. Green, NRC/NRR	Internal discussion regarding draft RAI	2

Attachment 2 - Indian Point License Renewal Hearing File Index
 Deliberative Process Privilege, Supplement 54 – July 31, 2013

ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Estimated Page Count
DP-54-024	ML13206A256	K. Green, NRC/NRR	2013/07/25 Indian Point LR Hearing - FW: IPEC License Renewal - Response to RAls SET 2013-02 (Cathodic Protection etc)	07/25/2013	E-Mail	W. Holston, NRC/NRR W. Gardner, NRC/NRR J. Wise, NRC/NRR S. Bloom, NRC/NRR	Internal discussion regarding draft SER input Attachment: Entergy letter, NL-13-098 [Available in public disclosures: 54-0038 (ADAMS Accession No. ML13206A257)]	20

July 31, 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 MELANIE A. GALLOWAY

I, Melanie A. Galloway, do hereby state as follows:

1. I am employed as the 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 54.

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 54.

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)

Melanie A. Galloway

Executed in Rockville, Maryland
this 31st day of July, 2013

July 31, 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 July 25, 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 31st day of July 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 54; Attachment 2 – Indian Point License Renewal Hearing File Index Supplement 54 – Deliberative Process Privilege; Declaration of Melanie A. Galloway, dated July 31, 2013; and Affidavit of Kimberly J. Green, dated July 31, 2013, in the above-captioned proceeding have been served upon the Electronic Information Exchange, the NRC’s E-Filing System, this 31st day of July, 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: July 31, 2013