

**UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD**

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In re: Docket Nos. 50-247-LR; 50-286-LR  
License Renewal Application Submitted by ASLBP No. 07-858-03-LR-BD01  
Entergy Nuclear Indian Point 2, LLC, DPR-26, DPR-64  
Entergy Nuclear Indian Point 3, LLC, and  
Entergy Nuclear Operations, Inc. October 29, 2013  
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**STATE OF NEW YORK SUBMISSION IN RESPONSE TO  
ATOMIC SAFETY AND LICENSING BOARD'S OCTOBER 8, 2013 ORDER**

The State of New York respectfully submits the accompanying proposed revisions to the draft exhibit list in response to the Atomic Safety and Licensing Board's October 8, 2013 Order. For the convenience of the Board and parties, the State has highlighted various sections of the exhibit list in yellow and then, in turn, offers proposed text changes as red line additions or strikethrough deletions.

Additional comments or observations by the State regarding the draft exhibit list are contained in the right-most column of the accompanying chart. For example, a portion of an Enercon report concerning severe accidents was designated as "non-public" (NYSR0270B), while the remainder of the report was designated as "public" (NYSR0270A). The State suggests that both portions of that exhibit be designated as "public."

To the extent the Board agrees with any of the State's proposed revisions, it may be easier to copy text suggested by the State from the State's Excel spreadsheet rather than from the PDF file attachment. Accordingly, the State is also submitting the native version (.xlsx) of the Excel spreadsheet via a separate email to the parties and the Board -- since it is our

understanding that the NRC's EIE system does not allow the submission of file formats other than PDF.

Exhibits NYSR00211, NYSR0270A, and NYSR0270B are color versions of original (grayscale) Exhibits NYS000211, NYS00270A, and NYS00270B, respectively. The Board may wish to reflect this fact in the title descriptions for those exhibits.

The State also notes that the single "non-public" designation has been used to collectively refer to two different categories of documents: those that are full-text copyrighted; and those that have been designated as proprietary. *See generally* SECY-92-341, Amendment to Rule Governing Proprietary and Copyright Submissions, (Oct. 7, 1992) ML0113510540 (differentiating between copyrighted documents and proprietary documents). It may be useful to the public for the exhibit list to distinguish those two document categories from one another. The State further notes that, in certain circumstances, various copyrighted documents are available via the internet.

Respectfully submitted,

***Signed (electronically) by***

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