



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555 - 0001

May 29, 2015

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 76 is appended hereto as Attachment 1.

On or about June 10, 2015, 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, Update 76" 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; appended hereto as Attachment 2. Also attached is the Declaration of David J. Wrona formally invoking the deliberative process privilege with respect to the documents in Attachment 2. The Staff will preserve and maintain the privileged documents identified in these logs during the pendency of this proceeding.

Judge McDade
Judge Kennedy
Judge Wardwell

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May 29, 2015

Further, pursuant to 10 C.F.R. § 2.336(c), attached is the Affidavit of Michael J. Wentzel, 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 May 22, 2015.

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 76
Attachment 2 - Deliberative Process Privilege Log
Declaration of David J. Wrona
Affidavit of Michael J. Wentzel

cc w/Encls.: Service List

Attachment 1 - Indian Point License Renewal Hearing File Index
 Supplement 76 – May 29, 2015

ID#	Accession Number	Document Date	Title
76-0001	ML15114A081	04/06/2015	Indian Point, Units 2 and 3 - 2006 Year Class Report for the Hudson River Estuary Monitoring Program.
76-0002	ML15114A082	04/06/2015	Indian Point, Units 2 and 3 - 2007 Year Class Report for the Hudson River Estuary Monitoring Program.
76-0003	ML15114A083	04/06/2015	Indian Point, Units 2 and 3 - 2008 Year Class Report for the Hudson River Estuary Monitoring Program.
76-0004	ML15114A080	04/06/2015	Indian Point, Units 2 and 3 - 2009 Year Class Report for the Hudson River Estuary Monitoring Program.
76-0005	ML15114A084	04/06/2015	Indian Point, Units 2 and 3 - 2010 Year Class Report for the Hudson River Estuary Monitoring Program.
76-0006	ML15114A085	04/06/2015	Indian Point, Units 2 and 3 - 2011 Year Class Report for the Hudson River Estuary Monitoring Program.
76-0007	ML15114A048	04/06/2015	Indian Point, Units 2 and 3 - Reply to Request for Additional Information Regarding the License Renewal Application Environmental Review.
76-0008	ML15124A660	04/22/2015	2015/04/22 Indian Point LR Hearing - ACRS slides
76-0009	ML15124A662	04/23/2015	2015/04/23 Indian Point LR Hearing - Re: Additional Comments
76-0010	ML15124A657	04/23/2015	2015/04/23 Indian Point LR Hearing - Re: Additional Comments
76-0011	ML15114A352	04/24/2015	2015/04/24 Indian Point LR Hearing - Phone Call Availability
76-0012	ML15117A645	04/27/2015	2015/04/27 Indian Point LR Hearing - RE: Phone Call Availability
76-0013	ML15117A647	04/27/2015	2015/04/27 Indian Point LR Hearing - RE: Phone Call Availability
76-0014	ML15117A646	04/27/2015	2015/04/27 Indian Point LR Hearing - RE: Phone Call Availability
76-0015	ML15107A175	04/28/2015	041615, Summary of Telephone Conference Call Held Between NRC and Entergy Concerning the RAIs Pertaining to the Indian Point LRA Environmental Review.
76-0016	ML15119A287	04/28/2015	2015/04/28 Indian Point LR Hearing - RE: Phone Call Availability
76-0017	ML15119A281	04/28/2015	2015/04/28 Indian Point LR Hearing - RE: Phone Call Availability
76-0018	ML15119A285	04/28/2015	2015/04/28 Indian Point LR Hearing - RE: Phone Call Availability
76-0019	ML15119A288	04/28/2015	2015/04/28 Indian Point LR Hearing - RE: Phone Call Availability
76-0020	ML15120A389	04/30/2015	2015/04/30 Indian Point LR Hearing - Draft Telephone Call Summary
76-0021	ML15120A010	04/30/2015	2015/04/30 Indian Point LR Hearing - Info for Today's Phone Call
76-0022	ML15120A540	04/30/2015	2015/04/30 Indian Point LR Hearing - RE: Draft Telephone Call Summary
76-0023	ML15120A011	04/30/2015	2015/04/30 Indian Point LR Hearing - RE: Info for Today's Phone Call
76-0024	ML15124A213	05/04/2015	2015/05/04 Indian Point LR Hearing - NUREG-1930, Sup. 2
76-0025	ML15124A907	05/04/2015	2015/05/04 Indian Point LR Hearing - RE: Draft Telephone Call Summary
76-0026	ML15124A728	05/04/2015	2015/05/04 Indian Point LR Hearing - RE: NUREG-1930, Sup. 2

Attachment 1 - Indian Point License Renewal Hearing File Index
 Supplement 76 – May 29, 2015

ID#	Accession Number	Document Date	Title
76-0027	ML15124A712	05/04/2015	2015/05/04 Indian Point LR Hearing - RE: NUREG-1930, Sup. 2
76-0028	ML15124A711	05/04/2015	2015/05/04 Indian Point LR Hearing - RE: NUREG-1930, Sup. 2
76-0029	ML15124A729	05/04/2015	2015/05/04 Indian Point LR Hearing - RE: NUREG-1930, Sup. 2
76-0030	ML15071A101	05/04/2015	Request for Additional Information for the Review of the Indian Point Nuclear Generating Unit Nos. 2 and 3, License Renewal Application, Set 2015-01 (TAC Nos. MD5407 and MD5408).
76-0031	ML15125A287	05/05/2015	2015/05/05 Indian Point LR Hearing - RE: Draft Telephone Call Summary
76-0032	ML15125A286	05/05/2015	2015/05/05 Indian Point LR Hearing - RE: Draft Telephone Call Summary
76-0033	ML15120A644	05/06/2015	04/30/2015, Summary of Telephone Conference Call Held Between NRC and Entergy Concerning the RAIs Pertaining to the Indian Point LRA Safety Review.
76-0034	ML15140A085	05/12/2015	Indian Point, Unit 3 - Entergy Actions Required Prior to Entry into Period of Extended Operation Associated with License Renewal Application (LRA).

Attachment 2 - Indian Point License Renewal Hearing File Index
 Deliberative Process Privilege, Supplement 76 – May 29, 2015

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	Page Count
DPP-76-001	ML15117A644	K. Folk, NRC/NRRR/DLR	2015/04/24 Indian Point LR Hearing - Peer Review	04/24/2015	E-Mail w/ Attachment	N. Martinez, NRC/NRRR/DLR	Internal discussion regarding draft FSEIS Supplement input Attachment: draft FSEIS Supplement input	10
DPP-76-002	ML15117A649	M. Wentzel, NRC/NRRR/DLR	2015/04/27 Indian Point LR Hearing - Climate Change Impacts on Aquatic Resources	04/27/2015	E-Mail	D. Logan, NRC/NRRR/DLR	Internal discussion regarding draft FSEIS Supplement input	2
DPP-76-003	ML15117A651	N. Martinez, NRC/NRRR/DLR	2015/04/27 Indian Point LR Hearing - RE: Peer Review	04/27/2015	E-Mail w/ Attachment	K. Folk, NRC/NRRR/DLR	Internal discussion regarding draft FSEIS Supplement input Attachment: draft FSEIS Supplement input	10

Attachment 2 - Indian Point License Renewal Hearing File Index
Deliberative Process Privilege, Supplement 76 – May 29, 2015

ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Page Count
DPP-76-004	ML15141A026	D. Logan, NRC/NRR/DLR	2015/04/28 Indian Point LR Hearing - RE: Climate Change Impacts on Aquatic Resources	04/28/2015	E-Mail	M. Wentzel, NRC/NRR/DLR	Internal discussion regarding draft FSEIS Supplement input	3
DPP-76-005	ML15118A002	M. Wentzel, NRC/NRR/DLR	2015/04/28 Indian Point LR Hearing - RE: Climate Change Impacts on Aquatic Resources	04/28/2015	E-Mail	D. Logan, NRC/NRR/DLR	Internal discussion regarding draft FSEIS Supplement input	3
DPP-76-006	ML15119A279	K. Folk, NRC/NRR/DLR	2015/04/28 Indian Point LR Hearing - RE: IP Cumulative Impacts_Water Resources	04/28/2015	E-Mail w/ Attachment	R. Hoffman, NRC/NRR/DLR	Internal discussion regarding draft FSEIS Supplement input Attachment: draft FSEIS Supplement input	11
DPP-76-007	ML15119A278	K. Folk, NRC/NRR/DLR	2015/04/28 Indian Point LR Hearing - RE: Peer Review	04/28/2015	E-Mail	N. Martinez, NRC/NRR/DLR	Internal discussion regarding draft FSEIS Supplement input	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	Page Count
DPP-76-008	ML15119A626	K. Folk, NRC/NRR/DLR	2015/04/29 Indian Point LR Hearing - Indian Point Supp2_Peer Review Comments on Analysis of Radionuclides Released to Groundwater	04/29/2015	E-Mail w/ Attachment	W. Ford, NRC/NRR/DLR	Internal discussion regarding draft FSEIS Supplement input Attachment: draft FSEIS Supplement input	33
DPP-76-009	ML15120A314	J. Gavula, NRC/NRR/DLR	2015/04/30 Indian Point LR Hearing - Changes to Wording in RAI 3.0.3-1, Section A-1	04/30/2015	E-Mail	M. Wentzel, NRC/NRR/DLR W. Holston, NRC/NRR/DLR	Internal discussion regarding draft RAI	2
DPP-76-010	ML15120A012	M. Wentzel, NRC/NRR/DLR	2015/04/30 Indian Point LR Hearing - FW: Info for Today's Phone Call	04/30/2015	E-Mail w/ Attachment	W. Holston, NRC/NRR/DLR	Internal discussion regarding draft RAI Attachment: Entergy markup of RAI [See public disclosures at 76-0021, ADAMS Accession No. ML15120A010]	16

Attachment 2 - Indian Point License Renewal Hearing File Index
 Deliberative Process Privilege, Supplement 76 – May 29, 2015

ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Page Count
DPP-76-011	ML15120A625	W. Ford, NRC/NRR/DLR	2015/04/30 Indian Point LR Hearing - Indian Point Groundwater Draft	04/30/2015	E-Mail w/ Attachment	D. Wrona, NRC/NRR/DLR	Internal discussion regarding draft FSEIS Supplement input	32
DPP-76-012	ML15120A624	J. Gavula, NRC/NRR/DLR	2015/04/30 Indian Point LR Hearing - RE: Changes to Wording in RAI 3.0.3-1, Section A-1	04/30/2015	E-Mail	M. Wentzel, NRC/NRR/DLR	Attachment: draft FSEIS Supplement input	3
DPP-76-013	ML15120A541	M. Wentzel, NRC/NRR/DLR	2015/04/30 Indian Point LR Hearing - RE: Changes to Wording in RAI 3.0.3-1, Section A-1	04/30/2015	E-Mail	W. Holston, NRC/NRR/DLR J. Gavula, NRC/NRR/DLR	Internal discussion regarding draft RAI	2
DPP-76-014	ML15120A347	W. Holston, NRC/NRR/DLR	2015/04/30 Indian Point LR Hearing - RE: Changes to Wording in RAI 3.0.3-1, Section A-1	04/30/2015	E-Mail	J. Gavula, NRC/NRR/DLR M. Wentzel, NRC/NRR/DLR	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	Page Count
DPP-76-015	ML15125A214	D. Wrona, NRC/NRR/DLR	2015/05/05 Indian Point LR Hearing - Review of Indian Point Groundwater Input	05/05/2015	E-Mail w/ Attachment	W. Ford, NRC/NRR/DLR	Internal discussion regarding draft FSEIS Supplement input	32
DPP-76-016	ML15126A144	N. Martinez, NRC/NRR/DLR	2015/05/06 Indian Point LR Hearing - RE: INPUT: Indian Point Supplement (Air Quality, Green House Gas)	05/06/2015	E-Mail	M. Wentzel, NRC/NRR/DLR	Internal discussion regarding draft FSEIS Supplement input	2
DPP-76-017	ML15126A080	M. Wentzel, NRC/NRR/DLR	2015/05/06 Indian Point LR Hearing - RE: INPUT: Indian Point Supplement (Air Quality, Green House Gas)	05/06/2015	E-Mail	N. Martinez, NRC/NRR/DLR	Internal discussion regarding draft FSEIS Supplement input	2
DPP-76-018	ML15128A475	W. Ford, NRC/NRR/DLR	2015/05/08 Indian Point LR Hearing - Indian Point Groundwater Draft Dated 05-08-2015	05/08/2015	E-Mail w/ Attachment	D. Wrona, NRC/NRR/DLR	Internal discussion regarding draft FSEIS Supplement input Attachment: draft FSEIS Supplement input	62

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ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Page Count
DPP-76-019	ML15132A771	J. Rikhoff, NRC/NRR/DLR	2015/05/12 Indian Point LR Hearing - Draft EJ Impacts	05/12/2015	E-Mail w/ Attachment	D. Wrona, NRC/NRR/DLR	Internal discussion regarding draft FSEIS Supplement input Attachment: draft FSEIS Supplement input	5
DPP-76-020	ML15135A041	D. Wrona, NRC/NRR/DLR	2015/05/15 Indian Point LR Hearing - INPUT: Indian Point Supplement (Groundwater, Environmental Justice)	05/15/2015	E-Mail w/ Attachment	B. Wittick, NRC/NRR/DLR	Internal discussion regarding draft FSEIS Supplement input Attachment: draft FSEIS Supplement input	35
DPP-76-021	ML15138A464	M. Wentzel, NRC/NRR/DLR	2015/05/18 Indian Point LR Hearing - RE: INPUT: Indian Point Supplement (Groundwater, Environmental Justice)	05/18/2015	E-Mail w/ Attachment	W. Ford, NRC/NRR/DLR	Internal discussion regarding draft FSEIS Supplement input Attachment: draft FSEIS Supplement input	32

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ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Page Count
DPP-76-022	ML15139A551	W. Ford, NRC/NRR/DLR	2015/05/19 Indian Point LR Hearing - RE: INPUT: Indian Point Supplement (Groundwater, Environmental Justice)	05/19/2015	E-Mail w/ Attachment	M. Wentzel, NRC/NRR/DLR	Internal discussion regarding draft FSEIS Supplement input	33
DPP-76-023	ML15140A560	M. Wentzel, NRC/NRR/DLR	2015/05/20 Indian Point LR Hearing - RE: Climate Change Impacts on Aquatic Resources	05/20/2015	E-Mail	D. Logan, NRC/NRR/DLR	Internal discussion regarding draft FSEIS Supplement input	3
DPP-76-024	ML15141A027	M. Wentzel, NRC/NRR/DLR	2015/05/20 Indian Point LR Hearing - RE: Climate Change Impacts on Aquatic Resources	05/20/2015	E-Mail	D. Logan, NRC/NRR/DLR	Internal discussion regarding draft FSEIS Supplement input	3
DPP-76-025	ML15141A029	D. Logan, NRC/NRR/DLR	2015/05/20 Indian Point LR Hearing - RE: Climate Change Impacts on Aquatic Resources	05/20/2015	E-Mail	M. Wentzel, NRC/NRR/DLR	Internal discussion regarding draft FSEIS Supplement input	3
DPP-76-026	ML15140A561	D. Logan, NRC/NRR/DLR	2015/05/20 Indian Point LR Hearing - RE: Climate Change Impacts on Aquatic Resources	05/20/2015	E-Mail	M. Wentzel, NRC/NRR/DLR	Internal discussion regarding draft FSEIS Supplement input	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	Page Count
DPP-76-027	ML15141A114	R. Hoffman, NRC/NRR/DLR	2015/05/21 Indian Point LR Hearing - FW: INPUT: Indian Point Cumulative for Terrestrial Resources	05/21/2015	E-Mail w/ Attachment	J. Rikhoff, NRC/NRR/DLR	Email forwarding draft FSEIS Supplement input Attachment: draft FSEIS Supplement input	3
DPP-76-028	ML15142A016	R. Hoffman, NRC/NRR/DLR	2015/05/21 Indian Point LR Hearing - FW: RERB Cumulative Impact Inputs for the Supplement to the Indian Point FSEIS	05/21/2015	E-Mail w/ Attachment	D. Wrona, NRC/NRR/DLR	Internal discussion regarding draft FSEIS Supplement input Attachment: draft FSEIS Supplement input	25
DPP-76-029	ML15141A440	S. Klementowicz, NRC/NRR/DLR	2015/05/21 Indian Point LR Hearing - Indian Point - Draft Cumulative Radiological Impacts	05/21/2015	E-Mail w/ Attachment	R. Hoffman, NRC/NRR/DLR	Internal discussion regarding draft FSEIS Supplement input Attachment: draft FSEIS Supplement input	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	Page Count
DPP-76-030	ML15141A194	R. Hoffman, NRC/NRR/DLR	2015/05/21 Indian Point LR Hearing - IP Cumulative Radiological Impacts Update	05/21/2015	E-Mail w/ Attachment	S. Klementowicz, NRC/NRR/DLR	Internal discussion regarding draft FSEIS Supplement input Attachment: draft FSEIS Supplement input	3
DPP-76-031	ML15141A256	R. Hoffman, NRC/NRR/DLR	2015/05/21 Indian Point LR Hearing - RERB Cumulative Impact Inputs for the Supplement to the Indian Point FSEIS	05/21/2015	E-Mail w/ Attachment	D. Wrona, NRC/NRR/DLR	Internal discussion regarding draft FSEIS Supplement input Attachment: draft FSEIS Supplement input	24
DPP-76-032	ML15141A570	J. Rikhoff, NRC/NRR/DLR	2015/05/21 Indian Point LR Hearing - Revised IP Socioeconomics Cumulative Impacts	05/21/2015	E-Mail w/ Attachment	R. Hoffman, NRC/NRR/DLR	Internal discussion regarding draft FSEIS Supplement input Attachment: draft FSEIS Supplement input	4

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	Page Count
DPP-76-033	ML15142A603	D. Wrona, NRC/NRR/DLR	2015/05/22 Indian Point LR Hearing - Comments IP Cumulative	05/22/2015	E-Mail w/ Attachment	R. Hoffman, NRC/NRR/DLR	Internal discussion regarding draft FSEIS Supplement input Attachment: draft FSEIS Supplement input	24
DPP-76-034	ML15142A854	R. Hoffman, NRC/NRR/DLR	2015/05/22 Indian Point LR Hearing - RE: Comments IP Cumulative	05/22/2015	E-Mail w/ Attachment	D. Wrona, NRC/NRR/DLR	Internal discussion regarding draft FSEIS Supplement input Attachment: draft FSEIS Supplement input	27
DPP-76-035	ML15142A850	R. Hoffman, NRC/NRR/DLR	2015/05/22 Indian Point LR Hearing - RE: Revised IP EJ Cumulative Impacts	05/22/2015	E-Mail	J. Rikhoff, NRC/NRR/DLR	Internal discussion regarding draft FSEIS Supplement input	2

Attachment 2 - Indian Point License Renewal Hearing File Index
 Deliberative Process Privilege, Supplement 76 – May 29, 2015

ID #	Accession Number	Author Name & Author Affiliation	Title	Document Date	Document Type	Addressee Name & Addressee Affiliation	Comment	Page Count
DPP-76-036	ML15142A849	J. Rikhoff, NRC/NRR/DLR	2015/05/22 Indian Point LR Hearing - Revised IP EJ Cumulative Impacts	05/22/2015	E-Mail w/ Attachment	R. Hoffman, NRC/NRR/DLR	Internal discussion regarding draft FSEIS Supplement input Attachment: draft FSEIS Supplement input	4

May 29, 2015

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, 50-286-LR
)
)
(Indian Point Nuclear Generating Units 2 and 3))

DECLARATION OF DAVID J. WRONA

I, David J. Wrona, do hereby state as follows:

1. I am employed as the Branch Chief for the Environmental Review and Guidance Update Branch in 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 76.

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 76.

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 J. Wrona

Executed in Rockville, Maryland
this 29th day of May, 2015

May 29, 2015

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, 50-286-LR
)
)
(Indian Point Nuclear Generating)
Units 2 and 3))

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

I, Michael J. Wentzel, do hereby state as follows:

1. I am employed as a Project Manager in the U.S. Nuclear Regulatory Commission's (NRC) Nuclear Reactor Regulation. I currently serve as a project manager for the Indian Point Nuclear Generating Units 2 and 3 license renewal application ("LRA"). Among my other duties as project manager, since September 2014, I have been 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 May 22, 2015.
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)

Michael J. Wentzel

Executed in Rockville, Maryland
this 29th day of May 2015

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, 50-286-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 76; Attachment 2 – Indian Point License Renewal Hearing File Index Supplement 76 – Deliberative Process Privilege; Declaration of David J. Wrona, dated May 29, 2015; and Affidavit of Michael J. Wentzel, dated May 29, 2015, in the above-captioned proceeding have been served upon the Electronic Information Exchange, the NRC’s E-Filing System, this 29th day of May, 2015.

/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: May 29, 2015