

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	Docket Nos.	50-247-LR and
)		50-286-LR
ENTERGY NUCLEAR OPERATIONS, INC.)		
)		
(Indian Point Nuclear Generating Units 2 and 3))		
)	June 23, 2015	

**STATE OF NEW YORK, RIVERKEEPER, INC., NUCLEAR REGULATORY
COMMISSION STAFF, AND ENTERGY NUCLEAR OPERATIONS, INC., JOINT
STIPULATION REGARDING STATE OF NEW YORK PRE-FILED TESTIMONY FOR
CONTENTION NYS-38/RK-TC-5 (SAFETY COMMITMENTS)**

As authorized by the Board's July 1, 2010 scheduling order,¹ Intervenors State of New York ("the State") and Riverkeeper, Inc., Applicant Entergy Nuclear Operations, Inc. ("Entergy"), and the Nuclear Regulatory Commission Staff submit the following joint stipulation of issues not in dispute with respect to the below-designated admitted contention and the parties agree there is no issue that needs to be heard:

In the State's Pre-filed Written Supplemental Testimony Regarding Contention NYS-38/RK-TC-5 (NYS000532), the State's expert, Dr. Duquette, raises certain issues related to vibration-induced wear of steam generator tubes, steam generator tube plugging, and steam generator foreign objects (p. 21:9 -- 23:5). The Intervenors aver that that testimony is offered solely for the purpose of presenting Dr. Duquette's opinions on the adequacy of Entergy Commitments 41 and 42 and is not offered as a general challenge to Entergy's Steam Generator Integrity Aging Management Program.

¹ Licensing Board Scheduling Order at 12 ¶ I (July 1, 2010) (unpublished).

Respectfully submitted,

Executed in accord with 10 C.F.R. § 2.340(d)

Deborah Brancato
Staff Attorney
Riverkeeper, Inc.
20 Secor Road
Ossining, NY 10562
Phone: (914) 478-4501 (ext. 230)
E-mail: dbrancato@riverkeeper.org

Counsel for Riverkeeper, Inc.

Executed in accord with 10 C.F.R. § 2.340(d)

John J. Sipos
Lisa Kwong
Brian Lusignan
Assistant Attorneys General
Office of the Attorney General
of the State of New York
The Capitol
Albany, NY 12224
Phone: (518) 776-2380
Phone: (518) 776-2422
Phone: (518) 776-2399
E-mail: John.Sipos@ag.ny.gov
E-mail: Lisa.Kwong@ag.ny.gov
E-mail: Brian.Lusignan@ag.ny.gov

Counsel for the State of New York

Executed in accord with 10 C.F.R. § 2.340(d)

Brian G. Harris
U.S. Nuclear Regulatory Commission
Office of the General Counsel
Mail Stop – O-15D21
Washington, DC 20555
Telephone: (301) 415-1392
E-mail: brian.harris@nrc.gov

Counsel for NRC Staff

William B. Glew, Jr., Esq.
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601
Phone: (914) 272-3360
E-mail: wglew@entergy.com

Signed (electronically) by Raphael P. Kuyler
Kathryn M. Sutton
Paul M. Bessette
Raphael P. Kuyler
Morgan, Lewis & Bockius LLP
1111 Pennsylvania Avenue, NW
Washington, DC 20004
Phone: (202) 739-3000
E-Mail: ksutton@morganlewis.com
E-Mail: pbessette@morganlewis.com
E-Mail: rkuyler@morganlewis.com

Counsel for Entergy Nuclear Operations, Inc.

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	Docket Nos. 50-247-LR and
)	50-286-LR
ENTERGY NUCLEAR OPERATIONS, INC.)	
)	
(Indian Point Nuclear Generating Units 2 and 3))	
)	June 23, 2015

CERTIFICATE OF SERVICE

Pursuant to 10 C.F.R. § 2.305, I certify that, on this date, copies of the foregoing “State of New York, Riverkeeper, Inc., Nuclear Regulatory Commission Staff, and Entergy Nuclear Operations, Inc., Joint Stipulation Regarding State of New York Pre-Filed Testimony for Contention NYS-38/RK-TC-5” were served upon the Electronic Information Exchange (the NRC’s E-Filing System), in the above-captioned proceeding.

Signed (electronically) by Raphael P. Kuyler

Raphael P. Kuyler
Morgan, Lewis & Bockius LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Phone: (202) 739-5146
E-mail: rkuyler@morganlewis.com