

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

ENTERGY NUCLEAR OPERATIONS, INC.

(Indian Point Nuclear Generating Units 2 and 3)

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

ASLBP No. 07-858-03-LR-BD01

June 8, 2016

ORDER

(Adopting Schedule Deferral at Request of the Parties and
Requesting Conference Call Availability)

On March 29, 2016, Entergy Nuclear Operations, Inc. (Entergy) notified the Licensing Board of recent developments potentially relevant to the Track 2 proceeding.¹ During the scheduled maintenance outage that commenced on March 7, 2016, Entergy conducted visual and ultrasonic testing of the baffle-former assembly bolts in Indian Point Unit 2.² This inspection revealed that approximately one quarter of the baffle-former bolts showed signs of degradation.³

As a result of these findings, on March 30, 2016, the parties filed a Joint Motion asking the Board to defer for thirty-five days the Track 2 hearing schedule, including post-hearing filings and evidentiary submissions, with a status update to be filed by the parties no later than May 6,

¹ Letter from Counsel for Entergy Nuclear Operations, Inc., to Lawrence G. McDade, Chairman, Dr. Michael F. Kennedy, and Dr. Richard Wardwell, Atomic Safety and Licensing Board (Mar. 29, 2016).

² Id. at 1.

³ Id. at 1–2.

2016.⁴ The Board granted that motion on April 1.⁵ On May 6, 2016, the parties filed a Joint Status Report, requesting the deferral of the Track 2 schedule for an additional thirty-two days, with a status report to be filed no later than June 7, 2016.⁶ The Board granted that motion on May 10, 2016.⁷

On June 7, 2016, the parties filed a second Joint Status Report, requesting an additional twenty-one days of deferral, until June 28, 2016.⁸ The parties state that the time will be used to review ongoing supplemental disclosures and assess the need for further evidentiary submissions to the Board.⁹ Additionally, the parties state that they “plan to submit a proposed schedule for the conduct of further proceedings” by June 28.¹⁰

The Board hereby grants the additional deferral. The scheduling of the post-hearing filings and the filing of further evidentiary submissions is deferred for a minimum of twenty-one days and will be rescheduled by order of the Board. A status report and proposed schedule shall be filed by the parties no later than June 28, 2016.

⁴ Joint Motion for Track 2 Hearing Schedule Deferral (Mar. 30, 2016) at 5.

⁵ Order (Adopting Joint Motion for Track 2 Hearing Schedule Deferral) (Apr. 1, 2016) (unpublished).

⁶ Joint Status Report Regarding Track 2 Schedule Deferral (May 6, 2016) at 1.

⁷ Order (Adopting Track 2 Hearing Schedule Deferral at Request of the Parties) (May 10, 2016) (unpublished).

⁸ Second Joint Status Report Regarding Track 2 Schedule Deferral (June 7, 2016).

⁹ Id. at 3.

¹⁰ Id. at 1.

Additionally, on or before June 28, 2016, each party shall submit to the Board its availability for a telephone conference on July 11-14, 2016. Such notice shall include who would be unavailable at those times and an explanation of why they would be unavailable for a telephone conference.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

Lawrence G. McDade, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
June 8, 2016

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NUCLEAR REGULATORY COMMISSION

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(Indian Point Nuclear Generating,)
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (Adopting Schedule Deferral at Request of the Parties and Requesting Conference Call Availability)** have been served upon the following persons by Electronic Information Exchange and e-mail.

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[Original signed by Brian Newell]
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Dated at Rockville, Maryland
this 8th day of June, 2016