UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

BEFORE THE NUCLEAR REGULATORY COMMISSION

In the Matter of Pilgrim 50-293-EA

Entergy's Request for Extension to Comply

With NRC Order EA-13-109, Pilgrim Station

February 17, 2017

STATUS OF DECISION ON PETITIONERS' REQUEST FOR HEARING REGARDING ENTERGY'S REQUEST FOR EXTENSION TO COMPLY WITH NRC ORDER EA-13-109

Pilgrim Watch and Co-Petitioners filed Petitioners' Request for Hearing Regarding Entergy's Request for Extension to Comply with NRC Order EA-13-109 on September 7, 2016

Despite the requirement in 10 CFR § 2.309 *Hearing requests, petitions to intervene, requirements for standing, and contentions, Section*(j) *Decision on request/petition*[1] that "the presiding officer shall issue a decision on each request for hearing … within 45 days after the filing of answers and replies under paragraph (i) of this section" we have received no response. The forty-five days expired almost three months ago, on November 25, 2016. We request the required response,

[1] § 2.309 (j) *Decision on request/petition*. (1) In all proceedings other than a proceeding under § 52.103 of this chapter, the presiding officer shall issue a decision on each request for hearing or petition to intervene within 45 days of the conclusion of the initial pre-hearing conference or, if no pre-hearing conference is conducted, within 45 days after the filing of answers and replies under paragraph (i) of this section. With respect to a request to admit amended or new contentions, the presiding officer shall issue a decision on each such request within 45 days of the conclusion of any pre-hearing conference that may be conducted regarding the proposed amended or new contentions or, if no pre-hearing conference is conducted, within 45 days after the filing of answers and replies, if any. In the event the presiding officer cannot issue a decision within 45 days, the presiding officer shall issue a notice advising the Commission and the parties, and the notice shall include the expected date of when the decision will issue.

including an explanation of the delay, a statement of when NRC will issue its decision, and a decision.

For your convenience, the following documents were filed.

1. Entergy's Request for Extension to implement Phase 1 (severe accident capable wetwell venting system) was filed June 24, 2016 but not placed on Adams until July 13, 2016.
2. Pilgrim Watch & Co-Petitioners Request for Hearing Regarding Entergy's Request for Extension to Comply with NRC Order Ea-13-109, Section IV Requirements Regarding Implementation of Phase 1And Phase 2 Severe Accident Capable Vents for Pilgrim Nuclear Power Station (September 7, 2016)
3. NRC Staff's Response to Pilgrim Watch & Co-Petitioners' Request For Hearing (October 3, 2016)
4. Entergy's Answer Opposing Request for Hearing Regarding Pilgrim and Ea-13-109 (October 3, 2016)
5. Petitioners' Response to NRC Staff's and Entergy's Opposition to Petitioners' Request For Hearing Regarding Entergy's Request For Extension To Comply With NRC Order Ea-13-109 (October 11, 2016)

The clock for a decision started on October 11, 2016. Forty-five days expired on November 25, 2016, and some eighty more days have passed since. We look forward to your response.

Respectfully submitted by Pilgrim Watch on behalf of Co-Petitioners,

Signed (electronically) by

Mary Lampert
Pilgrim Watch, Director
148 Washington Street, Duxbury, MA 02332
Tel. 781-934-0389/Email: mary.lampert@comcast.net
October 11, 2016

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CERTIFICATE OF SERVICE

Pursuant to 10 C.F.R. § 2.305 (revised), I hereby certify that copies of the foregoing STATUS OF DECISION ON PETITIONERS' REQUEST FOR HEARING REGARDING ENTERGY'S REQUEST FOR EXTENSION TO COMPLY WITH NRC ORDER EA-13-109 dated February 17, 2017 have been filed through the Electronic Information Exchange, the NRC's E-Filing System, in the above-captioned proceeding, on February 17, 2017.

(Signed (electronically) by,
Mary Lampert
Pilgrim Watch, Director
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February 17, 2017