

RAS E-499

DOCKETED

March 22, 2011 (8:30 a.m.)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

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))		
)	March 22, 2011	

SUPPLEMENTARY CERTIFICATION REGARDING CONSULTATION

The undersigned hereby certify that the following is true and correct:

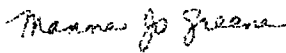
- 1) Pursuant to the Atomic Safety Licensing Board's ("Board") Scheduling Order dated March 11, 2011, Hudson River Sloop Clearwater, Inc. ("Clearwater") and Riverkeeper, Inc. ("Riverkeeper") (collectively "Petitioners") respectfully submit this supplementary Certification regarding consultation to correct an inadvertent omission in their Answer opposing Entergy's Motion to Strike, dated March 4, 2011 (the "Joint Answer").
- 2) In the certification accompany their timely Joint Answer, Petitioners omitted to include the language required by the Board regarding consultation and therefore hereby state that the following is correct:

"Petitioners Manna Jo Green and Deborah Brancato certify that we have made a sincere effort to make myself available to listen and respond to the moving party, and to resolve the factual and legal issues raised in the motion, and that our efforts to resolve the issues have been unsuccessful."
- 3) Although Petitioners did not include the specific language required by the Board, they did reference their efforts to resolve the issues in the body of the Joint Opposition. See Joint Opposition at 2 ("Clearwater and Riverkeeper offered Entergy that opportunity

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[to reply]”); *Id.* at 3 (“During the week beginning February 28, 2011, counsel for Entergy consulted with representatives of Clearwater and counsel for Riverkeeper regarding its intention to file a Motion to strike Despite Clearwater and Riverkeeper’s attempt to avoid troubling the Board by agreeing to not object if Entergy were to request an opportunity to respond to the Gundersen Declaration, Entergy filed its Motion to Strike on March 4, 2011”); *Id.* at 12 (“ . . . during consultations Petitioners offered to not object if Entergy were to request an opportunity to respond to the Gundersen Declaration.”).



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/s/

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**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

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ENTERGY NUCLEAR OPERATIONS, INC.)	
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CERTIFICATE OF SERVICE

Petitioner certifies that on March 21, 2011 copies of the enclosed "SUPPLEMENTARY CERTIFICATION REGARDING CONSULTATION" were served on the following by first-class mail and e-mail:

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