

RAS E-299

DOCKETED

November 06, 2009 (1:30 p.m.)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

ATTACHMENT A

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Lawrence G. McDade, Chairman
Dr. Kaye D. Lathrop
Dr. Richard E. Wardwell

In the Matter of

ENTERGY NUCLEAR OPERATIONS, INC.

(Indian Point Nuclear Generating Units 2 and 3)

Docket Nos. 50-0247-LR and
50-286-LR

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

NONDISCLOSURE AGREEMENT AND ACKNOWLEDGMENT

Under penalty of perjury, I hereby agree and acknowledge that (i) access to "proprietary documents," as that term is defined in the Atomic Safety and Licensing Board's Protective Order dated September 4, 2009, issued in Docket Nos. 50-247-LR and 50-286-LR ("Protective Order"), may be provided to me pursuant to the terms and restrictions of the Protective Order; (ii) I have been given a copy and have read the Protective Order; and (iii) I agree to be bound by the terms of the Protective Order. I understand and agree that proprietary documents, their contents, or any notes or other memoranda summarizing or otherwise describing their contents, or any form of information that derives from the proprietary documents and copies or discloses the contents of the proprietary documents, shall be held in strict confidence and shall not be disclosed to anyone except in accordance with that Protective Order, and shall be used only for purposes of this proceeding. I acknowledge that a violation of this Nondisclosure Agreement and Acknowledgment or the Protective Order, which incorporates the terms of this Nondisclosure Agreement and Acknowledgment, constitutes a violation of an order of the U.S. Nuclear Regulatory Commission and may result in the imposition of such sanctions as the

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Atomic Safety and Licensing Board or the U.S. Nuclear Regulatory Commission may deem to be appropriate. I also acknowledge that a violation of this Nondisclosure Agreement and Acknowledgment or the Protective Order shall entitle the Initial Holder or owner of the proprietary document(s) or proprietary information contained therein to seek immediate injunctive relief prohibiting such violation.

WHEREFORE, I do solemnly agree to protect such proprietary documents, and their contents, as may be disclosed to me in this proceeding, in accordance with the terms of the attached Protective Order and this Nondisclosure Agreement and Acknowledgment.

Name (printed): RICHARD T. LAHEY, JR.
Title: EXPERT WITNESS - NYS
Employed by or Representing: SELF
Signature: R.T. Lahey
Executed on (date): 11/1/09

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Name (printed): Bruce A. Egan
Title: President
Employed by or Representing: Egan Environmental Inc.
Signature: Bruce A Egan
Executed on (date): October 26, 2009

Hearing Docket

From: Janice Dean [Janice.Dean@oag.state.ny.us]
Sent: Friday, November 06, 2009 1:20 PM
To: vob@bestweb.net; Mannajo Greene; wdennis@entergy.com; Ross Gould; ezoli@goodwinprocter.com; jlmatthe@gw.dec.state.ny.us; jlparker@gw.dec.state.ny.us; ksutton@morganlewis.com; martin.oneill@morganlewis.com; pbessette@morganlewis.com; Jones, Andrea; Mizuno, Beth; Harris, Brian; Roth(OGC), David; Docket, Hearing; Lathrop, Kaye; McDade, Lawrence; OCAAMAIL Resource; Wardwell, Richard; Turk, Sherwin; Kahn, Zachary; mdelaney@nycedc.com; Stephen Filler; Janice Dean; John Sipos; Mylan Denerstein; Robert.Snook@po.state.ct.us; dbrancato@riverkeeper.org; phillip@riverkeeper.org; vtafur@riverkeeper.org; driesel@sprlaw.com; jsteinberg@sprlaw.com; gss1@westchestergov.com
Subject: Indian Point, Docket Nos. 50-247-LR and 50-286-LR, nondisclosure agreements
Attachments: Agreement - Lahey.pdf; Agreement - Egan.pdf

To all parties and the Board:

Attached please find executed non-disclosure agreements for Bruce Egan and Dr. Richard Lahey, the State's experts.

Please contact me with any questions regarding this submission.

Thank you,
Janice Dean

Janice A. Dean
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