

**UNITED STATES
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD**

-----X

In re:

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

License Renewal Application Submitted by

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

Entergy Nuclear Indian Point 2, LLC,
Entergy Nuclear Indian Point 3, LLC, and
Entergy Nuclear Operations, Inc.

DPR-26, DPR-64

December 9, 2011

-----X

DECLARATION OF LISA M. BURIANEK

Pursuant to 28 U.S.C. § 1746, Lisa M. Burianek hereby declares as follows:

1. I serve as an Assistant Attorney General for the State of New York, counsel for petitioner-intervenor State of New York in this proceeding. I submit this declaration and accompanying exhibits in support of the State of New York's contention, NYS-8 (hereinafter "NYS-8") which asserts that transformers are static devices that belong within the category of components for which an aging management program ("AMP") is required under 10 C.F.R. § 54.21(a)(1)(i). NYS-8 also asserts that transformers are more similar to components which for which an AMP is required than those components for which an AMP is not required.

2. The accompanying exhibits are discussed in more detail in the State's Statement of Position, or were previously submitted as supporting evidence for the State's contentions.

3. Attached to this declaration as Exhibit NYS000001 is a true and correct copy of the document entitled *State of New York Hearing Exhibits List ("NYS Exhibits List")*, Exh. 000001. *NYS Exhibits List* includes those exhibits relied upon and referenced in support of Contention NYS-8, NYS000002 through NYS000043.

4. Attached to this declaration as Exhibit NYS000039 is a true and correct copy of the document entitled *Entergy Nuclear Northeast, Power Transformer Spare Purchase Recommendations, January 4, 2006, John Bonner* (IPEC00071713-IPEC00071726).

5. Attached to this declaration as Exhibit NYS000040 is a true and correct copy of the document entitled *EN Large Power Transformer Status (Feb. 15, 2007)* (IPEC00071764-IPEC00071769)

6. Attached to this declaration as Exhibit NYS000041 is a true and correct copy of the document entitled *Email; July 18, 2005 6:26 PM; Subject: IPEC Transformer Review; From: J. Bonner; To: G. Bijoor, T.S. McCaffrey, V. Andreozzi; CC: R. Penny, J. Bonner, D. Morris* (IPEC00071776-IPEC00071777).

7. Attached to this declaration as Exhibit NYS000042 is a true and correct copy of the document entitled *Email String; August 7, 2008 2:46 PM; Subject: Risks; From: C. Jackson; To: J.J. Curry; August 7, 2008 3:02 PM; Subject: FW: Risks; From: J.J. Curry; To: C. Caputo; August 11, 2008 2:25 PM; Subject: RE: Risks; From: C. Caputo; To: J.J. Curry, C. Jackson; August 11, 2008 3:11 PM; Subject: RE: Risks; From: C. Jackson; To: C. Caputo, J.J. Curry; August 11, 2008 3:23 PM; Subject: RE: Risks; From: C. Caputo; To: C. Jackson, J.J. Curry* (IPEC00091098-IPEC00091098).

8. Attached to this declaration as Exhibit NYS000043 is a true and correct copy of the publicly available document entitled *Letter, M.H. Philips, Jr. and W.A. Horin, Nuclear Utility Group on Equipment Qualification to J.C. Hoyle, Acting Secretary, U.S. Nuclear Regulatory Commission (PDR Fiche 9412130158 941208) (Dec. 8, 1994)*

9. I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 9, 2011

Signed (electronically) by

Lisa M. Burianek
Assistant Attorneys General
Office of the Attorney General
of the State of New York
The Capitol
Albany, New York 12224
(518) 476-7398