

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

-----X In re: License Renewal Application Submitted by Entergy Nuclear Indian Point 2, LLC, Entergy Nuclear Indian Point 3, LLC, and Entergy Nuclear Operations, Inc. -----X	Docket Nos. 50-247-LR; 50-286-LR ASLBP No. 07-858-03-LR-BD01 DPR-26, DPR-64 December 21, 2011
--	--

DECLARATION OF KATHRYN M. LIBERATORE

Pursuant to 28 U.S.C. § 1746, Kathryn M. Liberatore 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-12/12-A/12-B/12-C (hereinafter "Consolidated Contention 12-C"), which asserts that the analysis set forth in the Nuclear Regulatory Commission ("NRC") Staff's December 2010 Final Supplemental Environmental Impact Statement concerning the Severe Accident Mitigation analysis and the inputs to the computer code that were used to evaluate the decontamination and cleanup costs associated with severe accidents, does not meet the requirements of National Environmental Policy Act ("NEPA"), and the regulations implementing NEPA adopted by the NRC and the Council on Environmental Quality.
2. The accompanying exhibits are discussed in more detail in the State's Statement of Position, and/or were previously submitted as supporting evidence for the State's contentions.
3. Attached to this declaration as Exhibit NYSR70001 is a true and correct copy of

the document entitled *State of New York Hearing Exhibits List ("NYS Exhibits List")*, Exh. NYSR70001. *NYS Exhibits List* includes those exhibits relied upon and referenced in support of Consolidated Contention 12-C, NYS000240 through NYS000292.

4. Attached to this declaration as Exhibit NYS000288 is a true and correct copy of the document entitled *NUREG/CR-4691, SAND86-1562, Vol. 2, MELCOR Accident Consequence Code System (MACCS)* (February 1990).

5. Attached to this declaration as Exhibit NYS000287 is a true and correct copy of the document entitled *NEI 05-01 [Rev A], Severe Accident Mitigation Alternatives (SAMA) Analysis, Guidance Document* (November 2005).

6. Attached to this declaration as Exhibit NYS000286 is a true and correct copy of the document entitled *Indian Point: The Next Fukushima?*, V. Gilinsky, The New York Times (Dec. 16, 2011).

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

Executed on December 21, 2011

Signed (electronically) by

Kathryn M. Liberatore
Assistant Attorney General
Office of the Attorney General
of the State of New York
120 Broadway
New York, New York 10271
(212) 416-8482