

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

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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, DPR-26, DPR-64
Entergy Nuclear Indian Point 3, LLC, and
Entergy Nuclear Operations, Inc. June 29, 2012
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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 exhibit 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. Attached to this declaration as Exhibit NYS000421 is a true and correct copy of an email string containing two emails.
3. Exhibit NYS000421 contains the email I sent on April 20, 2012 at 10:55 a.m. to

counsel for NRC Staff Brian Harris, Esq., with carbon copies to counsel for the State of New York Janice Dean, Esq. and John Sipos, Esq. The email's subject was "NYS 12C -- request for article."

4. Exhibit NYS000421 also contains Mr. Harris' response to my email, which he sent to me, carbon copying Ms. Dean and Mr. Sipos, on April 25, 2012 at 12:29 p.m. with the subject "RE: NYS 12C -- request for article."

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

Executed on June 29, 2012

Signed (electronically) by

Kathryn M. Liberatore
Assistant Attorney General
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of the State of New York
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