



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555 - 0001

April 28, 2016

Administrative Judge
Lawrence G. McDade, Chair
Atomic Safety and Licensing Board Panel
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Dr. Richard E. Wardwell
Atomic Safety and Licensing Board Panel
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Michael F. Kennedy
Atomic Safety and Licensing Board Panel
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

In the Matter of
ENTERGY NUCLEAR OPERATIONS, INC.
(Indian Point Nuclear Generating Units 2 and 3)
Docket Nos. 50-247-LR and 50-286-LR

Dear Administrative Judges:

Pursuant to the Atomic Safety and Licensing Board's December 18, 2008, "Memorandum and Order (Addressing Requests that the Proceeding be Conducted Pursuant to Subpart G)," slip op. at 13, the Licensing Board's "Order (Granting Consent Motion Regarding Mandatory Disclosures)," dated January 30, 2009, at 1, the staff of the U.S. Nuclear Regulatory Commission ("Staff") herein notifies the Licensing Board and the parties that the hearing file has been supplemented for this proceeding. Materials in the hearing file may be accessed through the Agencywide Documents Access and Management System ("ADAMS"). An index containing the ADAMS accession number, date, and title or description of each item in Hearing File Index, Supplement 87 is appended hereto as Attachment 1.

On or about May 10, 2016, the documents identified in the hearing file may be accessed through ADAMS or through the Electronic Hearing Docket ("EHD"), which may be accessed at <http://adams.nrc.gov/ehd/>. The hearing file will be contained in the "Staff Discovery Materials" tab of the EHD, in a sub-folder entitled, "Indian PT Hearing File, Update 87" in the "Indian_PT_2&3_50-247&50-286-LR" folder.

In addition, as required by 10 C.F.R. § 2.336(b)(5), the Staff is producing a privilege log, identifying documents withheld under the deliberative process; appended hereto as Attachment 2. Also attached is the Declaration of Christopher G. Miller formally invoking the deliberative process privilege with respect to the documents in Attachment 2. The Staff will preserve and

Judge McDade
Judge Kennedy
Judge Wardwell

- 2 -

April 28, 2016

maintain the privileged documents identified in these logs during the pendency of this proceeding.

Further, pursuant to 10 C.F.R. § 2.336(c), attached is the Affidavit of Michael J. Wentzel, certifying that all relevant materials required by this section have been disclosed, and that the disclosures are accurate and complete as to documents identified by April 21, 2016.

Finally, the NRC Staff notes that it has made a good faith effort to identify and characterize all documents meeting the criteria of 10 C.F.R. § 2.336(b) and 10 C.F.R. § 2.1203 in this proceeding. In identifying these documents, the Staff does not concede their relevance to the license renewal issues to be decided in this proceeding.

Sincerely,

/Signed (electronically) by/

Joseph Lindell
Counsel for NRC Staff

Enclosures: Attachment 1 - Hearing File Index, Supplement 87
Attachment 2 - Deliberative Process Privilege Log
Declaration of Christopher G. Miller
Affidavit of Michael J. Wentzel

cc w/Encls.: Service List

Attachment 1 - Indian Point License Renewal Hearing File Index
Supplement 87 – April 28, 2016

| ID# | Accession Number | Document Date | Title |
|---------|------------------|---------------|--|
| 87-0001 | ML16088A277 | 03/28/2016 | 2016/03/28 Indian Point LR Hearing - [External_Sender] Re: EPA Comment Letter |
| 87-0002 | ML16088A273 | 03/28/2016 | 2016/03/28 Indian Point LR Hearing - EPA Comment Letter |
| 87-0003 | ML16088A275 | 03/28/2016 | 2016/03/28 Indian Point LR Hearing - RE: Re: EPA Comment Letter |
| 87-0004 | ML16097A373 | 04/06/2016 | 2016/04/06 Indian Point LR Hearing - [External_Sender] Menhaden Data |
| 87-0005 | ML16097A374 | 04/06/2016 | 2016/04/06 Indian Point LR Hearing - RE: Menhaden Data |
| 87-0006 | ML16111A418 | 04/06/2016 | Indian Point, Units 2 and 3 - Submission of Hudson River Biological Monitoring Program ("HRBMP") Data. |
| 87-0007 | ML16112A277 | 04/21/2016 | 2016/04/21 Indian Point LR Hearing - [External_Sender] Email 1 for 2014 YCR |
| 87-0008 | ML16112A283 | 04/21/2016 | 2016/04/21 Indian Point LR Hearing - [External_Sender] Email 2 for 2013 YCR |
| 87-0009 | ML16112A271 | 04/21/2016 | 2016/04/21 Indian Point LR Hearing - [External_Sender] Email 2 for 2014 YCR |
| 87-0010 | ML16112A281 | 04/21/2016 | 2016/04/21 Indian Point LR Hearing - [External_Sender] Email 3 for 2013 YCR |
| 87-0011 | ML16112A269 | 04/21/2016 | 2016/04/21 Indian Point LR Hearing - [External_Sender] Email 3 for 2014 YCR |
| 87-0012 | ML16112A279 | 04/21/2016 | 2016/04/21 Indian Point LR Hearing - [External_Sender] Email 4 for 2013 YCR |
| 87-0013 | ML16112A263 | 04/21/2016 | 2016/04/21 Indian Point LR Hearing - [External_Sender] Email 4 for 2014 YCR |
| 87-0014 | ML16112A278 | 04/21/2016 | 2016/04/21 Indian Point LR Hearing - [External_Sender] Email 5 for 2013 YCR |
| 87-0015 | ML16112A291 | 04/21/2016 | 2016/04/21 Indian Point LR Hearing - [External_Sender] RE: Email 4 for 2014 YCR |
| 87-0016 | ML16112A288 | 04/21/2016 | 2016/04/21 Indian Point LR Hearing - [External_Sender] RE: Email 4 for 2014 YCR |
| 87-0017 | ML16112A286 | 04/21/2016 | 2016/04/21 Indian Point LR Hearing - [External_Sender] Unlocked files for Year Class Reports |
| 87-0018 | ML16112A290 | 04/21/2016 | 2016/04/21 Indian Point LR Hearing - RE: RE: Email 4 for 2014 YCR |
| 87-0019 | ML16112A014 | 04/21/2016 | 2016/04/21 Indian Point LR Hearing - Year Class Reports |

Attachment 2 - Indian Point License Renewal Hearing File Index
Deliberative Process Privilege, Supplement 87 – April 28, 2016

Certain documents otherwise subject to inclusion in the hearing file and mandatory disclosures for this proceeding have been determined by the NRC Staff to contain information subject to withholding from public disclosures as predecisional, deliberative information. Pursuant to 10 C.F.R. § 2.336(b)(5), the Staff is providing this log to identify the following documents, withheld under the "deliberative process" privilege.

| ID # | Accession Number | Author Name & Author Affiliation | Title | Document Date | Document Type | Addressee Name & Addressee Affiliation | Comment | Page Count |
|------------|------------------|----------------------------------|---|---------------|---------------|--|--|------------|
| DPP-87-001 | ML16088A010 | J. Poehler, NRC/NRR/DE | 2016/03/25 Indian Point LR Hearing - FW: Baffle former bolts | 03/25/2016 | E-Mail | M. Wentzel, NRC/NRR/DLR | Internal discussion regarding failed baffle-former bolts | 3 |
| DPP-87-002 | ML16088A009 | J. Poehler, NRC/NRR/DE | 2016/03/25 Indian Point LR Hearing - Status Update from the Senior Resident on IP Baffle-Former Bolts | 03/25/2016 | E-Mail | S. Sheng, NRC/NRR/DE J. McHale, NRC/NRR/DE A. Hiser, NRC/NRR/DLR R. Hardies, NRC/NRR/DE | Internal discussion regarding failed baffle-former bolts | 5 |
| DPP-87-003 | ML16089A467 | J. Medoff, NRC/NRR/DLR | 2016/03/29 Indian Point LR Hearing - | 03/29/2016 | E-Mail | C. Hovanec, NRC/NRR/DE | Internal discussion regarding failed baffle-former bolts | 2 |

Attachment 2 - Indian Point License Renewal Hearing File Index
Deliberative Process Privilege, Supplement 87 – April 28, 2016

| ID # | Accession Number | Author Name & Author Affiliation | Title | Document Date | Document Type | Addressee Name & Addressee Affiliation | Comment | Page Count |
|------------|------------------|----------------------------------|---|---------------|---------------|--|---|------------|
| DPP-87-004 | ML16110A442 | NRC | 2016/03/29 Indian Point LR Hearing - Event Notice: 03/29/2016, EN 51829, Indian Point | 03/29/2016 | E-Mail | J. Dwyer, NRC/RGN-I S. Morris, NRC/NRR/DIRS | Email forwarding draft event notification regarding failed baffle-former bolts [Attachment: Draft event notification regarding failed baffle-former bolts] | 3 |
| DPP-87-005 | ML16110A443 | J. Dwyer, NRC/RGN-I | 2016/03/29 Indian Point LR Hearing - FW: Event Notice: 03/29/2016, EN 51829, Indian Point | 03/29/2016 | E-Mail | G. Dentel, NRC/RGN-I/DRP | Email forwarding draft event notification regarding failed baffle-former bolts [Attachment: Draft event notification regarding failed baffle-former bolts] | 3 |
| DPP-87-006 | ML16089A352 | M. Wentzel, NRC/NRR/DLR | 2016/03/29 Indian Point LR Hearing - RE: License Renewal and Service Water Piping | 03/29/2016 | E-Mail | B. Bickett, NRC/RGN-I/AES | Internal discussion regarding site audit report and service water piping | 5 |

Attachment 2 - Indian Point License Renewal Hearing File Index
Deliberative Process Privilege, Supplement 87 – April 28, 2016

| ID # | Accession Number | Author Name & Author Affiliation | Title | Document Date | Document Type | Addressee Name & Addressee Affiliation | Comment | Page Count |
|------------|------------------|----------------------------------|--|---------------|---------------|--|---|------------|
| DPP-87-007 | ML16095A201 | M. Wentzel, NRC/NRR/DLR | 2016/04/04 Indian Point LR Hearing - DOI Comment | 04/04/2016 | E-Mail | D. Logan, NRC/NRR/DLR | Email forwarding the Department of Interior's letter regarding the FSEIS supplement [Attachment: Letter from US DOI (3/2/16) RE: COMMENTS Draft supplement (DSEIS) to Supplement 38 to the Generic Environmental Impact Statement (GEIS) for Renewal of Operating Licenses for Indian Point Generating Units 2 and 3, publicly available at ADAMS Accession No. ML16067A375] | 5 |

Attachment 2 - Indian Point License Renewal Hearing File Index
Deliberative Process Privilege, Supplement 87 – April 28, 2016

| ID # | Accession Number | Author Name & Author Affiliation | Title | Document Date | Document Type | Addressee Name & Addressee Affiliation | Comment | Page Count |
|------------|------------------|----------------------------------|---|---------------|---------------|--|--|------------|
| DPP-87-008 | ML16110A466 | K. McKenzie, NRC/RGN-I/DRP | 2016/04/05 Indian Point LR Hearing - MD 8.3/IMC 0309 - Indian Point Unit 2 | 04/05/2016 | E-Mail | NRC | Email forwarding significant event report regarding evaluation of failed baffle-former bolts [Attachment: Enclosure, Internal Decision Documentation for Reactive Inspection (3/30/16)] | 18 |
| DPP-87-009 | ML16111B318 | B. Haagensen, NRC/RGN-I/DRP | 2016/04/05 Indian Point LR Hearing - Re: ?????? RE: ***Sensitive Information - OUO, Potential Allegation Material*****FW: MD 8.3/IMC 0309 - Indian Point Unit 2 | 04/05/2016 | E-Mail | P. Cataldo, NRC/RGN-I/DRP | Internal discussion regarding failed baffle-former bolts | 3 |

Attachment 2 - Indian Point License Renewal Hearing File Index
Deliberative Process Privilege, Supplement 87 – April 28, 2016

| ID # | Accession Number | Author Name & Author Affiliation | Title | Document Date | Document Type | Addressee Name & Addressee Affiliation | Comment | Page Count |
|------------|------------------|----------------------------------|---|---------------|---------------|--|---|------------|
| DPP-87-010 | ML16097A509 | M. Wentzel, NRC/NRR/DLR | 2016/04/06 Indian Point LR Hearing - AAEEA Comments on EJ | 04/06/2016 | E-Mail | J. Rikhoff, NRC/NRR/DLR | Email forwarding comments from the African American Environmentalist Association regarding the FSEIS supplement [Attachment: Comments of Norris McDonald, President, African American Environmentalist Association, Regarding Indian Point Nuclear Generating Unit Nos. 2 and 3 (3/4/2016), publicly available at ADAMS Accession No. ML16069A339] | 7 |

Attachment 2 - Indian Point License Renewal Hearing File Index
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| ID # | Accession Number | Author Name & Author Affiliation | Title | Document Date | Document Type | Addressee Name & Addressee Affiliation | Comment | Page Count |
|------------|------------------|----------------------------------|---|---------------|---------------|--|---|------------|
| DPP-87-011 | ML16111B317 | B. Haagensen, NRC/RGN-I/DRP | 2016/04/06 Indian Point LR Hearing - Baffle Bolt issues from 2000 - FYI | 04/06/2016 | E-Mail | G. Dentel, NRC/RGN-I/DRP C. Lally, NRC/RGN-I/DRP B. Pinson, NRC/RGN-I/DRP J. Schussler, NRC/RGN-I/DRP | Internal discussion regarding failed baffle-former bolts [Attachments: Con Edison, Attachment 7.1, Operability Determination "Ensuring the Functional Capability of a System or Component" (5/22/00) Letter from NRC to A. Alan Blind, Vice President – Nuclear Power, Con Edison, NRC Integrated Inspection Report 05000247-2000-003, Publicly available at ADAMS Accession No. ML003715736] | 59 |

Attachment 2 - Indian Point License Renewal Hearing File Index
Deliberative Process Privilege, Supplement 87 – April 28, 2016

| ID # | Accession Number | Author Name & Author Affiliation | Title | Document Date | Document Type | Addressee Name & Addressee Affiliation | Comment | Page Count |
|------------|------------------|----------------------------------|---|---------------|---------------|--|--|------------|
| DPP-87-012 | ML16097A379 | M. Wentzel, NRC/NRR/DLR | 2016/04/06 Indian Point LR Hearing - FW: Menhaden Data | 04/06/2016 | E-Mail | D. Logan, NRC/NRR/DLR | Email forwarding Atlantic menhaden data [Attachment: Atlantic menhaden data in .CSV format, publicly available at ADAMS Accession No. ML16097A374] | 1339 |
| DPP-87-013 | ML16097A380 | J. Gavula, NRC/NRR/DLR | 2016/04/06 Indian Point LR Hearing - Historic Service Water System Leak | 04/06/2016 | E-Mail | B. Haagensen, NRC/RGN-I/DRP | Internal discussion regarding the service water system [Attachments: Portions of NRC Inspection Report 247/2011-002, Portion of 2014-12-16 IP RAI response] | 6 |

Attachment 2 - Indian Point License Renewal Hearing File Index
Deliberative Process Privilege, Supplement 87 – April 28, 2016

| ID # | Accession Number | Author Name & Author Affiliation | Title | Document Date | Document Type | Addressee Name & Addressee Affiliation | Comment | Page Count |
|------------|------------------|----------------------------------|---|---------------|---------------|--|--|------------|
| DPP-87-014 | ML16111B315 | D. Pickett, NRC/NRR/DORL | 2016/04/06 Indian Point LR Hearing - RE: Baffle Bolt issues from 2000 - FYI | 04/06/2016 | E-Mail | B. Haagensen, NRC/RGN-I/DRP G. Dentel, NRC/RGN-I/DRP C. Lally, NRC/RGN-I/DRP B. Pinson, NRC/RGN-I/DRP J. Schussler, NRC/RGN-I/DRP | Internal discussion regarding failed baffle-former bolts | 3 |
| DPP-87-015 | ML16111B316 | B. Haagensen, NRC/RGN-I/DRP | 2016/04/06 Indian Point LR Hearing - RE: Baffle Bolt issues from 2000 - FYI | 04/06/2016 | E-Mail | G. Dentel, NRC/RGN-I/DRP C. Lally, NRC/RGN-I/DRP B. Pinson, NRC/RGN-I/DRP J. Schussler, NRC/RGN-I/DRP | Internal discussion regarding failed baffle-former bolts | 3 |

Attachment 2 - Indian Point License Renewal Hearing File Index
Deliberative Process Privilege, Supplement 87 – April 28, 2016

| ID # | Accession Number | Author Name & Author Affiliation | Title | Document Date | Document Type | Addressee Name & Addressee Affiliation | Comment | Page Count |
|------------|------------------|----------------------------------|---|---------------|---------------|--|--|------------|
| DPP-87-016 | ML16111B319 | F. Bower, NRC/RGN-I/DRP | 2016/04/07 Indian Point LR Hearing - FW: ?????? RE: ***Sensitive Information - OUO, Potential Allegation Material*****FW: MD 8.3/IMC 0309 - Indian Point Unit 2 | 04/07/2016 | E-Mail | M. Ferdas, NRC/RGN-I/DRP | Internal discussion regarding failed baffle-former bolts | 4 |

Attachment 2 - Indian Point License Renewal Hearing File Index
Deliberative Process Privilege, Supplement 87 – April 28, 2016

| ID # | Accession Number | Author Name & Author Affiliation | Title | Document Date | Document Type | Addressee Name & Addressee Affiliation | Comment | Page Count |
|------------|------------------|----------------------------------|--|---------------|---------------|--|--|------------|
| DPP-87-017 | ML16103A568 | J. Gavula, NRC/NRR/DLR | 2016/04/12 Indian Point LR Hearing - ADAMS - Unavailability of Licensee Letters Submitted in 2011 and 2012 | 04/12/2016 | E-Mail | D. Pickett, NRC/NRR/DORL | <p>Internal discussion regarding docketing of documents pertaining to GL 89-13 and the Service Water Integrity AMP</p> <p>[Attachments: Letter from Indian Point Energy Center (NL-11-110) (10/8/11) Indian Point 3 Nuclear Power Plant 2011 Amendment Update to the Final Safety Analysis Report (FSAR), Revision 04, Indian Point Unit No. 3</p> <p>Letter from Indian Point Energy Center (NL-12-132) (10/1/12) Indian Point 2 Nuclear Power Plant Amendment Update to the Final Safety Analysis Report (FSAR), Revision 23, Indian Point Unit No. 2]</p> | 14 |

Attachment 2 - Indian Point License Renewal Hearing File Index
Deliberative Process Privilege, Supplement 87 – April 28, 2016

| ID # | Accession Number | Author Name & Author Affiliation | Title | Document Date | Document Type | Addressee Name & Addressee Affiliation | Comment | Page Count |
|------------|------------------|----------------------------------|--|---------------|---------------|--|--|------------|
| DPP-87-018 | ML16103A578 | W. Holston, NRC/NRR/DLR | 2016/04/12 Indian Point LR Hearing - RE: IP SWI RAI Gavula bare bones | 04/12/2016 | E-Mail | J. Gavula, NRC/NRR/DLR | Email sending and discussing draft service water integrity RAI [Attachment: Marked-up draft service water integrity RAI] | 8 |
| DPP-87-019 | ML16103A522 | M. Wentzel, NRC/NRR/DLR | 2016/04/12 Indian Point LR Hearing - Year Class Reports and Data | 04/12/2016 | E-Mail | D. Logan, NRC/NRR/DLR | Internal discussion regarding Year Class Reports and Atlantic menhaden data | 2 |
| DPP-87-020 | ML16104A020 | W. Holston, NRC/NRR/DLR | 2016/04/13 Indian Point LR Hearing - For BC Review - IP fire water storage tank internal coatings AMR input | 04/13/2016 | E-Mail | D. Morey, NRC/NRR/DLR | Email sending draft fire water storage tank aging management review (AMR) input [Attachment: draft fire water storage tank AMR input] | 3 |
| DPP-87-021 | ML16104A247 | T. Tate, NRC/NRR/DORL | 2016/04/13 Indian Point LR Hearing - RE: ADAMS - Unavailability of Licensee Letters Submitted in 2011 and 2012 | 04/13/2016 | E-Mail | D. Morey, NRC/NRR/DLR M. Wentzel, NRC/NRR/DLR | Internal discussion regarding licensee RAI responses | 4 |

Attachment 2 - Indian Point License Renewal Hearing File Index
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| ID # | Accession Number | Author Name & Author Affiliation | Title | Document Date | Document Type | Addressee Name & Addressee Affiliation | Comment | Page Count |
|------------|------------------|----------------------------------|--|---------------|---------------|---|---|------------|
| DPP-87-022 | ML16104A202 | D. Morey, NRC/NRR/DLR | 2016/04/13 Indian Point LR Hearing - RE: ADAMS - Unavailability of Licensee Letters Submitted in 2011 and 2012 | 04/13/2016 | E-Mail | T. Tate, NRC/NRR/DORL M. Wentzel, NRC/NRR/DLR | Internal discussion regarding licensee RAI responses | 4 |
| DPP-87-023 | ML16104A063 | D. Pickett, NRC/NRR/DORL | 2016/04/13 Indian Point LR Hearing - RE: ADAMS - Unavailability of Licensee Letters Submitted in 2011 and 2012 | 04/13/2016 | E-Mail | J. Gavula, NRC/NRR/DLR | Internal discussion regarding docketing of documents pertaining to GL 89-13 and the Service Water Integrity AMP | 2 |
| DPP-87-024 | ML16104A069 | T. Tate, NRC/NRR/DORL | 2016/04/13 Indian Point LR Hearing - RE: ADAMS - Unavailability of Licensee Letters Submitted in 2011 and 2012 | 04/13/2016 | E-Mail | D. Morey, NRC/NRR/DLR M. Wentzel, NRC/NRR/DLR | Internal discussion regarding licensee RAI responses | 4 |
| DPP-87-025 | ML16104A065 | M. Wentzel, NRC/NRR/DLR | 2016/04/13 Indian Point LR Hearing - RE: ADAMS - Unavailability of Licensee Letters Submitted in 2011 and 2012 | 04/13/2016 | E-Mail | D. Morey, NRC/NRR/DLR D. Pickett, NRC/NRR/DORL | Internal discussion regarding licensee RAI responses | 3 |

Attachment 2 - Indian Point License Renewal Hearing File Index
Deliberative Process Privilege, Supplement 87 – April 28, 2016

| ID # | Accession Number | Author Name & Author Affiliation | Title | Document Date | Document Type | Addressee Name & Addressee Affiliation | Comment | Page Count |
|------------|------------------|----------------------------------|--|---------------|---------------|--|--|------------|
| DPP-87-026 | ML16104A064 | D. Morey, NRC/NRR/DLR | 2016/04/13 Indian Point LR Hearing - RE: ADAMS - Unavailability of Licensee Letters Submitted in 2011 and 2012 | 04/13/2016 | E-Mail | D. Pickett, NRC/NRR/DORL | Internal discussion regarding licensee RAI responses | 3 |
| DPP-87-027 | ML16104A066 | D. Morey, NRC/NRR/DLR | 2016/04/13 Indian Point LR Hearing - RE: ADAMS - Unavailability of Licensee Letters Submitted in 2011 and 2012 | 04/13/2016 | E-Mail | M. Wentzel, NRC/NRR/DLR | Internal discussion regarding licensee RAI responses | 3 |
| DPP-87-028 | ML16105A025 | W. Holston, NRC/NRR/DLR | 2016/04/14 Indian Point LR Hearing - IP FWS tank coatings AMR input - Holston.docx | 04/14/2016 | E-Mail | M. Wentzel, NRC/NRR/DLR | Internal discussion regarding draft fire water storage tank AMR input [Attachment: draft fire water storage tank AMR input] | 3 |
| DPP-87-029 | ML16111A005 | B. Fu, NRC/NRR/DLR | 2016/04/19 Indian Point LR Hearing - SER Input for Indian Point Coating AMR Items, Uploaded to Project Website | 04/19/2016 | E-Mail | M. Wentzel, NRC/NRR/DLR | Internal discussion regarding draft fire water storage tank AMR input | 2 |

Attachment 2 - Indian Point License Renewal Hearing File Index
Deliberative Process Privilege, Supplement 87 – April 28, 2016

| ID # | Accession Number | Author Name & Author Affiliation | Title | Document Date | Document Type | Addressee Name & Addressee Affiliation | Comment | Page Count |
|------------|------------------|----------------------------------|--|---------------|---------------|--|--|------------|
| DPP-87-030 | ML16112A165 | T. Hedigan, NRC/RGN-I/DRS | 2016/04/21 Indian Point LR Hearing - AE | 04/21/2016 | E-Mail | NRC | Email forwarding internal baffle plate bolts inspection plans [Attachments: Baffle Plate Bolts Inspection Plan; Baffle Plate Bolts Action item and Inspection Plan; Inspection Roadmap for Indian Point Baffle Bolt Review] | 16 |

April 28, 2016

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

| | | |
|---|---|----------------------------------|
| In the Matter of |) | |
| |) | |
| ENTERGY NUCLEAR OPERATIONS, INC. |) | Docket Nos. 50-247-LR, 50-286-LR |
| |) | |
| (Indian Point Nuclear Generating Units 2 and 3) |) | |

DECLARATION OF CHRISTOPHER G. MILLER

I, Christopher G. Miller, do hereby state as follows:

1. I am employed as the Director of the Division of License Renewal (DLR) in the U.S. Nuclear Regulatory Commission's (NRC) Office of Nuclear Reactor Regulation (NRR). My supervisory responsibilities include oversight of the NRC Staff's review and evaluation of the Indian Point Nuclear Generating Units 2 and 3 license renewal application.

2. As part of their responsibilities in updating the hearing file and mandatory disclosures for these proceedings, NRC staff members under my supervision identified documents as privileged because they contained information concerning the Staff's pre-decisional deliberative process. The documents are listed in Attachment 2 to the submission of the Staff's Hearing File Index Supplement 87.

3. I have personally reviewed the documents identified as privileged in Attachment 2, and have determined, in accordance with the guidance set forth in Management Directive 3.4, that they contain pre-decisional information concerning the Staff's review of the license renewal application. The documents contain either the Staff's analyses, recommendations, opinions, or evaluations, and may not necessarily reflect the final agency

position with respect to the matters discussed therein. The documents comprise part of the deliberative process necessary for the Staff's review of the pending license renewal application.

4. Further, I have determined that disclosure of the documents could result in harm to the agency, in that it would (a) prematurely disclose the preliminary views of individual Staff members and/or the Staff prior to reaching a final agency decision, and could thus create confusion as to the actual policy or views of the NRC Staff; (b) hinder the efficiency of the Staff, in that forced disclosure of its internal discussions on an unresolved issue would tend to chill all future deliberations and would interfere with the Staff's ability to engage in a free exchange of opinions and analyses prior to publishing its final review documents; and (c) imply or suggest incorrectly that the opinions of the Staff members involved in these communications are actually the final decisions of the agency, while no such final decision has yet been made.

5. Accordingly, I formally invoke the deliberative process privilege with respect to the documents listed in Attachment 2 to the submission of the Staff's Hearing File Index Supplement 87.

6. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Executed in Accord with 10 CFR 2.304(d)

Christopher G. Miller

Executed in Rockville, Maryland
this 28th day of April, 2016

April 28, 2016

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

| | | |
|----------------------------------|---|----------------------------------|
| In the Matter of |) | |
| |) | |
| ENTERGY NUCLEAR OPERATIONS, INC. |) | Docket Nos. 50-247-LR, 50-286-LR |
| |) | |
| |) | |
| (Indian Point Nuclear Generating |) | |
| Units 2 and 3) |) | |

AFFIDAVIT OF MICHAEL J. WENTZEL CONCERNING
MANDATORY DISCLOSURE REQUIREMENT OF 10 C.F.R. § 2.336(b)

I, Michael J. Wentzel, do hereby state as follows:

1. I am employed as a Project Manager in the U.S. Nuclear Regulatory Commission's (NRC) Nuclear Reactor Regulation. I currently serve as a project manager for the Indian Point Nuclear Generating Units 2 and 3 license renewal application ("LRA"). Among my other duties as project manager, since September 2014, I have been assisting with the preparation of the hearing file and mandatory disclosures in connection with the LRA at issue in this proceeding.

2. I hereby certify that all relevant materials required to be disclosed pursuant to 10 C.F.R. § 2.336 (b) and (c) in the captioned proceeding have been disclosed, and that the disclosures are accurate and complete for documents identified as of April 21, 2016.

3. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Executed in Accord with 10 CFR 2.304(d)

Michael J. Wentzel

Executed in Rockville, Maryland
this 28th day of April 2016

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

| | | |
|----------------------------------|---|----------------------------------|
| In the Matter of |) | |
| |) | |
| ENTERGY NUCLEAR OPERATIONS, INC. |) | Docket Nos. 50-247-LR, 50-286-LR |
| |) | |
| (Indian Point Nuclear Generating |) | |
| Units 2 and 3) |) | |

CERTIFICATE OF SERVICE

Pursuant to 10 C.F.R § 2.305 (revised), I hereby certify that copies of the foregoing Letter to the Atomic Safety and Licensing Board regarding the Indian Point Hearing File, including: Attachment 1 - Indian Point License Renewal Hearing File Index Supplement 87; Attachment 2 – Indian Point License Renewal Hearing File Index Supplement 87 – Deliberative Process Privilege; Declaration of Christopher G. Miller, dated April 28, 2016; and Affidavit of Michael J. Wentzel, dated April 28, 2016, in the above-captioned proceeding have been served upon the Electronic Information Exchange, the NRC's E-Filing System, this 28th day of April, 2016.

/Signed (electronically) by/

Joseph A. Lindell
Counsel for NRC Staff
U.S. Nuclear Regulatory Commission
Office of the General Counsel
Mail Stop – O-16DF3
Washington, DC 20555
Telephone: (301) 287-9114
E-mail: joseph.lindell@nrc.gov
Date of signature: April 28, 2016