



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ERIC T. SCHNEIDERMAN
ATTORNEY GENERAL

DIVISION OF SOCIAL JUSTICE
ENVIRONMENTAL PROTECTION BUREAU

November 2, 2016

Lawrence G. McDade, Chair
Richard E. Wardwell
Michael F. Kennedy
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Mail Stop - T-3 F23
Two White Flint North
11545 Rockville Pike
Rockville, MD 20852-2738

Re: Indian Point Nuclear Generating Station, Unit 2 and Unit 3
Docket Nos. 50-247-LR/50-286-LR; ASLBP No. 07-858-03-LR-BD01

Dear Administrative Judges:

The State of New York writes to bring the Board's attention to an upcoming event that, in the State's view, is relevant and material to the aging management issues being raised in the Track 2 contentions in this proceeding.

On November 16, 2016, the Advisory Committee on Reactor Safeguards (ACRS) Subcommittee on Metallurgy & Reactor Fuels is scheduled to hold a public meeting from 8:30 a.m. until 12:00 p.m. *See* 81 Fed. Reg. 75,859 (Nov. 1, 2016) [Att. 1 hereto]. According to the Notice of Meeting, the Subcommittee will "review and discuss the Baffle-Former Bolts Degradation issue." *Id.* Additionally, the Subcommittee will "hear presentations by and hold discussions with the NRC staff and other interested persons regarding this matter," and will "gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the Full Committee." *Id.* According to the agenda for the meeting, one of the NRC staff presentations that the Subcommittee will hear is by Mr. Jeffrey Poehler, who is also a witness for Staff in this proceeding. *See* ACRS Meeting of the Subcommittee on Metallurgy & Reactor Fuels (Nov. 16, 2016) (ML16301A460) [Att. 2 hereto].

The State notes that this Subcommittee meeting is scheduled for the day before the deadline for the submission of supplemental expert testimony by State and Riverkeeper, as intervenors in this proceeding. As the Board is aware, this supplemental testimony will concern, among other things, aging management issues related to the degradation of baffle-former bolts discovered at Indian Point Unit 2.

The State appreciates the Board's consideration of this information.

Respectfully submitted,

Signed (electronically) by

John J. Sipos
Assistant Attorney General

cc: NRC EIE Service List

ATTACHMENT 1

NOVEMBER 1, 2016
FEDERAL REGISTER NOTICE
81 FED. REG. 75859

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS (ACRS);
SUBCOMMITTEE ON METALLURGY AND REACTOR FUELS;
NOTICE OF MEETING

NEWS MEDIA CONTACT: Telephone: (202) 314-6100.

The press and public may enter the NTSB Conference Center one hour prior to the meeting for set up and seating.

Individuals requesting specific accommodations should contact Rochelle Hall at (202) 314-6305 or by email at Rochelle.Hall@ntsb.gov by Wednesday, November 9, 2016.

The public may view the meeting via a live or archived webcast by accessing a link under "News & Events" on the NTSB home page at www.nts.gov.

Schedule updates, including weather-related cancellations, are also available at www.nts.gov.

FOR MORE INFORMATION CONTACT: Candi Bing at (202) 314-6403 or by email at bingc@ntsb.gov.

FOR MEDIA INFORMATION CONTACT: Terry Williams at (202) 314-6100 or by email at terry.williams@ntsb.gov, or Peter Knudson at (202) 314-6100 or by email at peter.knudson@ntsb.gov for the aviation item.

Terry Williams at (202) 314-6100 or by email at terry.williams@ntsb.gov, or Keith Holloway at (202) 314-6100 or by email at keith.holloway@ntsb.gov for the highway item.

Dated: Thursday, October 27, 2016.

Candi R. Bing,

Federal Register Liaison Officer.

[FR Doc. 2016-26413 Filed 10-28-16; 11:15 am]

BILLING CODE 7533-01-P

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards (ACRS); Meeting of the ACRS Subcommittee on Fukushima; Notice of Meeting

The ACRS Subcommittee on Fukushima will hold a meeting on November 16, 2016, Room T-2B1, 11545 Rockville Pike, Rockville, Maryland 20852.

The meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows:

Wednesday, November 16, 2016—1:00 p.m. until 5:00 p.m.

The Subcommittee will review the draft final Rulemaking Package for Mitigation of Beyond-Design-Basis Events (ML16292A018). The Subcommittee will hear presentations by and hold discussions with the NRC staff and other interested persons regarding this matter. The Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and

actions, as appropriate, for deliberation by the Full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official (DFO), Mike Snodderly (Telephone: 301-415-2241 or Email: Michael.Snodderly@nrc.gov) five days prior to the meeting, if possible, so that appropriate arrangements can be made. Thirty-five hard copies of each presentation or handout should be provided to the DFO thirty minutes before the meeting. In addition, one electronic copy of each presentation should be emailed to the DFO one day before the meeting. If an electronic copy cannot be provided within this timeframe, presenters should provide the DFO with a CD containing each presentation at least thirty minutes before the meeting. Electronic recordings will be permitted only during those portions of the meeting that are open to the public. Detailed procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 17, 2016 (81 FR 71543).

Detailed meeting agendas and meeting transcripts are available on the NRC Web site at <http://www.nrc.gov/reading-rm/doc-collections/acrs>. Information regarding topics to be discussed, changes to the agenda, whether the meeting has been canceled or rescheduled, and the time allotted to present oral statements can be obtained from the Web site cited above or by contacting the identified DFO. Moreover, in view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with these references if such rescheduling would result in a major inconvenience.

If attending this meeting, please enter through the One White Flint North building, 11555 Rockville Pike, Rockville, Maryland 20852. After registering with Security, please contact Mr. Theron Brown (Telephone: 240-888-9835) to be escorted to the meeting room.

Dated: October 25, 2016.

Mark Banks,

Chief, Technical Support Branch, Advisory Committee on Reactor Safeguards.

[FR Doc. 2016-26358 Filed 10-31-16; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

Advisory Committee On Reactor Safeguards (ACRS); Meeting Of The ACRS Subcommittee On Metallurgy & Reactor Fuels; Notice of Meeting

The ACRS Subcommittee on Metallurgy & Reactor Fuels will hold a meeting on November 16, 2016, Room T-2B1, 11545 Rockville Pike, Rockville, Maryland.

The meeting will be open to public attendance with the exception of portions that may be closed to protect information that is proprietary pursuant to 5 U.S.C. 552b(c)(4). The agenda for the subject meeting shall be as follows: Wednesday, November 16, 2016—8:30 a.m. until 12:00 p.m.

The Subcommittee will review and discuss the Baffle-Former Bolts Degradation issue. The Subcommittee will hear presentations by and hold discussions with the NRC staff and other interested persons regarding this matter. The Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the Full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official (DFO), Christopher Brown (Telephone 301-415-7111 or Email: Christopher.Brown@nrc.gov) five days prior to the meeting, if possible, so that appropriate arrangements can be made. Thirty-five hard copies of each presentation or handout should be provided to the DFO thirty minutes before the meeting. In addition, one electronic copy of each presentation should be emailed to the DFO one day before the meeting. If an electronic copy cannot be provided within this timeframe, presenters should provide the DFO with a CD containing each presentation at least thirty minutes before the meeting. Electronic recordings will be permitted only during those portions of the meeting that are open to the public. Detailed procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 17, 2016 (81 FR 71543).

Detailed meeting agendas and meeting transcripts are available on the NRC Web site at <http://www.nrc.gov/reading-rm/doc-collections/acrs>. Information regarding topics to be discussed, changes to the agenda, whether the meeting has been canceled or rescheduled, and the time allotted to present oral statements can be obtained from the Web site cited above or by

contacting the identified DFO. Moreover, in view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with these references if such rescheduling would result in a major inconvenience.

If attending this meeting, please enter through the One White Flint North building, 11555 Rockville Pike, Rockville, MD. After registering with security, please contact Mr. Theron Brown (Telephone 240-888-9835) to be escorted to the meeting room.

Dated: October 25, 2016.

Mark Banks,

Chief, Technical Support Branch, Advisory Committee on Reactor Safeguards.

[FR Doc. 2016-26365 Filed 10-31-16; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-387, 50-388, and 72-28; ASLBP No. 16-949-01-LT-BD01]

Susquehanna Nuclear, LLC; Establishment of Atomic Safety and Licensing Board

Pursuant to delegation by the Commission, *see* 37 FR 28,710 (Dec. 29, 1972), and the Commission's regulations, *see* 10 CFR 2.104, 2.105, 2.309, 2.313, 2.318, and 2.321, notice is hereby given that an Atomic Safety and Licensing Board (Board) is being established to preside over an appeal from the NRC Staff's denial of a request for access to sensitive unclassified non-safeguards information (SUNSI) in the following proceeding:

Susquehanna Nuclear, LLC (Susquehanna Steam Electric Station, Units 1 and 2)

This appeal arises from an "Order Imposing Procedures for Access to [SUNSI] and Safeguards Information for Contention Preparation" that was included as part of a **Federal Register** notice providing an opportunity to petition for leave to intervene in a hearing on the application for an indirect license transfer of the interests of Susquehanna Nuclear, LLC (SN), in the operating licenses of Susquehanna Steam Electric Station, Units 1 and 2 (SSES) and the general license for the SSES independent spent fuel storage installation from current SN parent holder Talen Energy Corporation to Riverstone Holdings, LLC. *See* 81 FR 68,462, 68,465 (Oct. 4, 2016). By email dated October 11, 2016, Mr. Sabatini

Monatesti requested access to SUNSI material, and he supplemented the request with another email dated October 17, 2016. By letter dated October 20, 2016, the NRC Staff denied the requests. On October 23, 2016, Mr. Sabatini appealed the Staff's determination by sending an email directly to the NRR Staff. He repeated his appeal and supplemented it by two additional emails sent to all parties on October 24, 2016.

The Board is comprised of the following Administrative Judges:

William J. Froehlich, Chairman, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001

G. Paul Bollwerk, III, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001

Dr. Gary S. Arnold, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001

All correspondence, documents, and other materials shall be filed in accordance with the NRC E-Filing rule. *See* 10 CFR 2.302.

Rockville, Maryland.

Dated: October 26, 2016.

E. Roy Hawkens,

Chief Administrative Judge, Atomic Safety and Licensing Board Panel.

[FR Doc. 2016-26362 Filed 10-31-16; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards (ACRS); Meeting of the ACRS Subcommittee on Plant License Renewal; Notice of Meeting

The ACRS Subcommittee on Plant License Renewal will hold a meeting on November 17, 2016, Room T-2B1, 11545 Rockville Pike, Rockville, Maryland.

The meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows: Thursday, November 17, 2016—8:30 a.m. until 12:00 p.m.

The Subcommittee will review the safety evaluation report with open items regarding the South Texas Project Units 1 and 2, License Renewal Application. The Subcommittee will hear presentations by and hold discussions with representatives of the NRC staff, South Texas Project Nuclear Operating Company, and other interested persons regarding this matter. The Subcommittee will gather information,

analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the Full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official (DFO), Kent Howard (Telephone 301-415-2989 or Email: Kent.Howard@nrc.gov) five days prior to the meeting, if possible, so that appropriate arrangements can be made. Thirty-five hard copies of each presentation or handout should be provided to the DFO thirty minutes before the meeting. In addition, one electronic copy of each presentation should be emailed to the DFO one day before the meeting. If an electronic copy cannot be provided within this timeframe, presenters should provide the DFO with a CD containing each presentation at least thirty minutes before the meeting. Electronic recordings will be permitted only during those portions of the meeting that are open to the public. Detailed procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 17, 2016 (81 FR 71543).

Detailed meeting agendas and meeting transcripts are available on the NRC Web site at <http://www.nrc.gov/reading-rm/doc-collections/acrs>. Information regarding topics to be discussed, changes to the agenda, whether the meeting has been canceled or rescheduled, and the time allotted to present oral statements can be obtained from the Web site cited above or by contacting the identified DFO. Moreover, in view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with these references if such rescheduling would result in a major inconvenience.

If attending this meeting, please enter through the One White Flint North building, 11555 Rockville Pike, Rockville, MD. After registering with security, please contact Mr. Theron Brown (Telephone 240-888-9835) to be escorted to the meeting room.

Dated: October 19, 2016.

Mark L. Banks,

Chief, Technical Support Branch, Advisory Committee on Reactor Safeguards.

[FR Doc. 2016-26360 Filed 10-31-16; 8:45 am]

BILLING CODE 7590-01-P

ATTACHMENT 2

NOVEMBER 16, 2016

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS (ACRS);
SUBCOMMITTEE ON METALLURGY AND REACTOR FUELS;

RECENT OPERATING EXPERIENCE WITH BAFFLE-FORMER BOLT DEGRADATION

ML16301A460

Advisory Committee on Reactor Safeguards
Meeting of the Subcommittee on Metallurgy & Reactor Fuels
Rockville, MD

Recent Operating Experience with Baffle-Former Bolt Degradation

November 16, 2016

Cognizant Staff Engineer: Christopher L. Brown
(301) 415-7111, Christopher.Brown@nrc.gov

Item	Topic	Presenter(s)	Time
1	Opening Remarks and Objectives	Matt Sunseri, ACRS	8:30 – 8:35 a.m.
2	Staff Opening Remarks	Mary Jane Ross-Lee, Deputy Director NRR/DE	8:35 – 8:40 a.m.
3	NRC Presentation on Baffle-Former Bolt Degradation	Jeffrey Poehler, NRR/DE/EVIB	8:40 – 9:55 a.m.
4	Break		9:55 – 10:10 a.m.
5	Industry Presentation on Baffle-Former Bolt Degradation	Heather Malikowski (Exelon/PWROG) and Bernie Rudell (Exelon/EPRI MRP), Robin Dyle (EPRI), Brian Wilson (Westinghouse/PWROG).	10:10 – 11:30 a.m.
6	Public Comments	All	11:30 – 11:45 a.m.
7	Committee Discussion	Matt Sunseri, ACRS	11:45 – 12:00 p.m.
8	Adjourn		12 p.m.

ACRS Notes:

- During the meeting, 301-415-7360 should be used to contact anyone in the ACRS Office.
- Presentation time should not exceed 50 percent of the total time allocated for a given item. The remaining 50 percent of the time is reserved for discussion.
- Thirty five (35) hard copies (2 B&W slides per page) of each presentation or handout should be provided to the Designated Federal Official 30 minutes before the meeting.
- 10 full page colored copies for the ACRS members and the court reporter.

One (1) electronic copy of each presentation should be emailed to the Designated Federal Official 1 day before the meeting. If an electronic copy cannot be provided within this timeframe, presenters should provide the Designated Federal Official with a CD containing each presentation at least 30 minutes before the meeting.

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

ATOMIC SAFETY AND LICENSING BOARD

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In re: Docket Nos. 50-247-LR and 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

November 2, 2016

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CERTIFICATE OF SERVICE

Pursuant to 10 C.F.R § 2.305 (as revised), I hereby certify that copies of the foregoing letter from the State of New York to the Atomic Safety and Licensing Board, dated November 2, 2016, has been served electronically via the NRC Electronic Information Exchange public submission portal in the above-captioned proceeding.

Signed (electronically) by

Mihir A. Desai
Assistant Attorney General
Office of the Attorney General for
the State of New York
120 Broadway, 26th Floor
New York, NY 10271
(212) 416-8478
Mihir.Desai@ag.ny.gov

Dated at New York, New York
this 2nd day of November 2016