

**United States of America
Nuclear Regulatory Commission
Before the Commission**

**The Declaration of Steven Penn in Support of Beyond Nuclear Request for a Public
Hearing and Leave to Intervene in the Matter of Entergy's Fitzpatrick Nuclear
Power Station "Request for Extension to Comply" with Nuclear Regulatory
Commission Orders EA-12-049, EA-12-051 and EA-13-109**

Under penalty of perjury, I, Steven Penn, declare as follows:

1. I am a member in good standing of Beyond Nuclear. I reside at 162 Cambridge Street, Syracuse, NY 13210. My telephone number is 315-383-0069. My Email address is penn@icloud.com.

My residence lies within the 50-mile radius Emergency Planning Zone of the James A. Fitzpatrick Nuclear Generating Station located in Oswego County, New York for which Entergy Nuclear LLC has submitted a "Request for Extension to Comply" with United States Nuclear Regulatory Commission (NRC) Orders EA-12-049, EA-12-051 and EA-13-109 issued as the result of the Fukushima Daiichi nuclear accident in Japan.

2. I am concerned that if the NRC grants Entergy's referenced request for an extension to comply with NRC Orders the continued operation of the Fitzpatrick Nuclear Generation Station could adversely affect my life, the lives of my family and the community and environment in which we live. I am particularly concerned by the undue risk these requests for extension to comply present for an accidental release of radiation and the potential harm that it would cause to public health and the environment.

3. In order to ensure that the agency decision regarding Entergy's proposed "Request for an Extension to Comply" with these NRC Orders protects my health and safety and

the environment, I have authorized Beyond Nuclear to represent me in the attached Petition for a Public Hearing and Leave to Intervene. I have authorized Beyond Nuclear to take any legal action necessary to ensure that a formal hearing is conducted fairly and in such a manner that provides the full consideration of how Entergy's requests for extension to comply with NRC Orders could adversely affect my health and safety and the quality of the environment in which I reside.

I declare under penalty of perjury that the foregoing facts are true and correct and that any expressions of opinion are based on my judgment.

A handwritten signature in black ink, reading "Steve Penn", is written over a horizontal line.

Signature of Steven Penn in accordance with 10 CFR 2.304(d)

31 October 2016

Date