

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

E. Roy Hawkens, Chairman  
Dr. Michael F. Kennedy  
Dr. Richard E. Wardwell

In the Matter of

ENTERGY OPERATIONS, INC.

(River Bend, Unit 1)

Docket No. 50-458-LR

ASLBP No. 17-956-01-LR-BD01

December 18, 2017

ORDER

(Adopting Transcript Corrections)

Before this Board in the above captioned proceeding is a joint motion submitted by the parties—Entergy Operations, Inc., Sierra Club, and the NRC Staff—requesting that certain corrections be made to the transcript of the November 30, 2017 oral argument teleconference concerning contention admissibility. See Joint Proposed Corrections to the Transcript of the Oral Argument Held on November 30, 2017 (Dec. 14, 2017). This Board grants the joint motion. The transcript of the oral argument held on November 30, 2017 is hereby revised to incorporate the corrections identified in Appendix A to this Order.

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD

/RA/

E. Roy Hawkens, Chairman  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
December 18, 2017

## APPENDIX A

### **CORRECTIONS TO THE TRANSCRIPT OF THE ORAL ARGUMENT HELD ON NOVEMBER 30, 2017 (DOCKET NO. 50-458-LR)**

Page	Line(s)	Delete	Insert
2	19	O-15D21	O-14-A44
2	21	415-4126	415-7000
6	14	arguing	argument
6	21	Joseph	Joe
6	25	Donohue	Donoghue
8	24	to	the
11	14	look	looks
12	12	your advocacy	your abdication
12	12	an advocacy	an abdication
12	22	advocating	abdicating
14	14	hasn't	isn't
14	16	advocated	abdicated
14	22	advocate	abdicate
14	23	advocated	abdicated
15	18	alternative	alternatives
20	1	sites	cites
28	2	acceptable	susceptible
29	9-10	progression, because	progression. Because
29	13-14	rule. "Licensees	rule, licensees
33	4	page 1	page 31
38	2	plan	plant
44	11	against proposed	against the proposed
46	14-15	the same thing as test	a contention of
46	21	challenge	challenged
46	22	2.209(f)(1)(6)	2.309(f)(1)(vi)
47	5	previous	proposed
49	7	advocation	abdication
49	11	advocation	abdication
49	14	advocation	abdication
51	2	contentions	contention
51	9	competing	conceding
52	8	that identified	that are identified
52	15	Contention 2 is	Contention 2 - - is
53	9-10	Louisiana and Sierra Club. You seem to have	Louisiana, and Sierra Club seems to have
53	19	only a	on a
54	21	compressor energy source	compressed air energy storage
54	23	license, and	license," and

55	19	it's suggestions.	it's "suggestions."
59	5	3.5.2.2.1	3.5.2.2.2.1
59	6	3.5.2.2.3	3.5.2.2.2.3
59	14	as we explain, includes	and as we explain, this includes
60	2	with Reaction for Aggregate	from Reaction with Aggregate
61	1	then concrete	then "concrete
62	3	put in	put it in
63	20	free saw	freeze-thaw
64	8	B-141	B.1.41
64	12	GALL reports	GALL report
65	5	Roman eleven F6	XI.S6
65	10-11	Roman eleven. F6-4	XI S6-4
68	20	still-expanding	slow-expanding
70	15	as to builder	admissibility
72	5	excessively	explicitly
72	9	of fines	applying
73	21	application	applications
73	23	to the ER	a supplement to the GEIS
74	1	guidance	GEIS
74	2	guidance	GEIS
74	3	relief to develop	reason developed
74	8	reactions	the action
74	11	guidance	GEIS
74	13	with	for
74	14	report	reports
74	16	Likewise, echoes	Likewise, it echoes
74	22	2.235	2.335
74	23	the full balance and	explaining the
74	25	for renewal	of the rule or
75	1	did not give a	would not serve the
75	5	the one	is that one
75	8	Lucy	Busey
75	9	staff's page 7	its reply to the staff on page 7
75	10	to the case	--
75	13	29	28
75	19	Lucy	Busey
75	24	blunt	input
75	25	redaction	action
76	4	scope	GEIS
76	5	It's	It does
76	22	review	resource
76	25	review	resource
77	4	review	resource
77	6	review	resource
78	6	workforce	of course

78	12	since letting	addressing
79	2	stress	solar
79	7	or placement hours for within	as a replacement source for River Bend
79	18	2.09(F)(1)(5) and (6)	2.309(f)(1)(v) or (vi)
80	1	drywall	drywell
80	2	F(1)(6)	(f)(1)(vi)
80	4	petition, must	application, it must
80	10	The petition -- given petition	The petitioner hasn't given in the petition
80	13-14	assumption. Categorically,	assumption that, categorically,
80	20	admission	contention
81	4	vitiates that the	vitiates the
81	7	2.09(c)	2.309(c)
81	13-14	the materials --	a material dispute --
86	5	B-141	B.1.41
86	10	B-141	B.1.41
86	15	B-141	B.1.41
86	19	is of	of
87	10	F(5), F(6)	XI.S6
87	13	50	Part 50
90	15	an	in its
90	21	first	first step
93	19	the initiatives under	there's new information on the
94	25	3.5.2.2.1	3.5.2.2.2.1

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	Docket No. 50-458-LR
ENTERGY OPERATIONS, INC.	)	
	)	
(River Bend Station, Unit 1 – License Renewal	)	
Application)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (Adopting Transcript Corrections)** have been served upon the following persons by Electronic Information Exchange.

U.S. Nuclear Regulatory Commission  
Office of Commission Appellate Adjudication  
Mail Stop: O-16B33  
Washington, DC 20555-0001  
E-mail: [ocaamail@nrc.gov](mailto:ocaamail@nrc.gov)

U.S. Nuclear Regulatory Commission  
Office of the Secretary of the Commission  
Mail Stop: O-16B33  
Washington, DC 20555-0001  
E-mail: [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov)

Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Mail Stop T-3F23  
Washington, DC 20555-0001  
E. Roy Hawkens, Chairman  
Dr. Michael F. Kennedy, Administrative Judge  
Dr. Richard E. Wardwell, Administrative Judge  
Joseph D. McManus, Law Clerk  
Nicole L. Simmons, Law Clerk  
E-mail: [Roy.Hawkens@nrc.gov](mailto:Roy.Hawkens@nrc.gov)  
[Michael.Kennedy@nrc.gov](mailto:Michael.Kennedy@nrc.gov)  
[Richard.Wardwell@nrc.gov](mailto:Richard.Wardwell@nrc.gov)  
[Joseph.McManus@nrc.gov](mailto:Joseph.McManus@nrc.gov)  
[Lindsay.Simmons@nrc.gov](mailto:Lindsay.Simmons@nrc.gov)

U.S. Nuclear Regulatory Commission  
Office of the General Counsel  
Mail Stop: O-14A44  
Washington, DC 20555-0001  
Sherwin E. Turk, Esq.  
David E. Roth, Esq.  
Joe I. Gillespie, Esq.  
E-mail: [Sherwin.Turk@nrc.gov](mailto:Sherwin.Turk@nrc.gov)  
[David.Roth@nrc.gov](mailto:David.Roth@nrc.gov)  
[Joe.Gillespie@nrc.gov](mailto:Joe.Gillespie@nrc.gov)

Counsel for Entergy Operations, Inc.  
Morgan, Lewis & Bockius LLP  
1111 Pennsylvania Avenue, N.W.  
Washington, DC 20004  
Stephen Burdick, Esq.  
Kathryn M. Sutton, Esq.  
E-mail: [Stephen.Burdick@morganlewis.com](mailto:Stephen.Burdick@morganlewis.com)  
[Kathryn.Sutton@morganlewis.com](mailto:Kathryn.Sutton@morganlewis.com)

Counsel for Sierra Club  
Wallace L. Taylor  
118 3<sup>rd</sup> Avenue, S.E., Suite 326  
Cedar Rapids, IA 52401  
E-mail: [wtaylorlaw@aol.com](mailto:wtaylorlaw@aol.com)

[Original signed by Brian Newell]  
Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
This 18<sup>th</sup> day of December, 2017