

February 9, 2005

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

Administrative Judge Lester S. Rubenstein
Atomic Safety and Licensing Board Panel
4270 E Country Villa Drive
Tucson, AZ 85718

Administrative Judge Anthony J. Baratta
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Mail Stop: T-3F23
Washington, DC 20555-0001

In the Matter of
ENERGY NUCLEAR VERMONT YANKEE LLC and
ENERGY NUCLEAR OPERATIONS, INC.
(Vermont Yankee Nuclear Power Station)
Docket No. 50-271-OLA

Dear Administrative Judges:

Pursuant to 10 C.F.R. § 2.336(d), the NRC staff hereby provides notice that the Hearing File for this proceeding has been updated. As required by 10 C.F.R. § 2.336(b)(5), the staff is producing an update to the privilege log at this time. The staff shall preserve and maintain all privileged documents during the pendency of this proceeding. Also attached is the Affidavit of John P. Boska.

Sincerely,

/RA/

Brooke D. Poole
Counsel for NRC Staff

Enclosures: Hearing File Supplement
Privilege Log - Deliberative Process
Affidavit of John P. Boska

ATTACHMENT 1

**VERMONT YANKEE EPU HEARING FILE AND MANDATORY DISCLOSURES
HEARING FILE INDEX
SUPPLEMENT 3 - FEBRUARY 9, 2004**

	Accession Number	Document Date	Title/Description
127	ML050320203	01/19/2005	E-mail Ennis, NRR, to Gill, NRR, Re: VY Station Blackout Coping Analysis.

ATTACHMENT 2**VERMONT YANKEE EPU HEARING FILE AND MANDATORY DISCLOSURES
PRIVILEGE LOG - DELIBERATIVE PROCESS
SUPPLEMENT 3 - February 9, 2005**

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 disclosure 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

Accession Number	Author Name/Affiliation:	Title/Description	Document Date	Document Type	Addressee / Addressee Affiliation	Comment	Page Count
ML050330508	Cai, J., NRC/NRR	E-mail - Cai, NRR, to Bongarra, NRR, Re: VY EPU, human performance review for the safety evaluation.	12/03/2004	E-Mail	Bongarra, J.P., NRC/NRR		7
ML050320019	Gill, A.S., NRC/NRR	E-mail - Gill, NRR, to Ennis, NRR, Re: VY Station Blackout Coping Analysis.	01/27/2005	E-Mail	Ennis, R.B., NRC/NRR		2
ML050350189	Ennis, R.B., NRC/NRR	E-mail - Ennis, NRR, to Lyons, NRR, Re: Licensing Board Memorandum and Order - Vermont Yankee Nuclear Power Station, RCIC Initiation after Appendix R fire.	02/01/2005	E-Mail	Lyons, J.E., NRC/NRR		4

Accession Number	Author Name/Affiliation:	Title/Description	Document Date	Document Type	Addressee / Addressee Affiliation	Comment	Page Count
ML050350171	Ennis, R.B., NRC/NRR	E-mail - Ennis, NRR, to Sheron, NRR, Re: Proposed VY License Condition, on Steam Dryer.	02/01/2005	E-Mail	Sheron, B.W., NRC/NRR		2
ML050350183	Lyons, J.E., NRC/NRR	E-mail - Lyons, NRR, to Sheron, NRR, et. al., Re: Licensing Board Memorandum and Order - Vermont Yankee Nuclear Power Station, RCIC/Appendix R Issue.	02/03/2005	E-Mail	Sheron, B.W., NRC/NRR		2

February 2, 2005

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
ENTERGY NUCLEAR VERMONT YANKEE)	Docket No. 50-271-OLA
LLC and ENTERGY NUCLEAR)	
OPERATIONS, INC.)	ASLBP No. 04-832-02-OLA
)	
(Vermont Yankee Nuclear Power Station))	

AFFIDAVIT OF JOHN P. BOSKA CONCERNING MANDATORY DISCLOSURE REQUIREMENT OF 10 C.F.R. § 2.336(d)

I, John P. Boska, being first duly sworn, do hereby state as follows:

1. I am employed as a Senior Project Manager in the Division of Licensing Project Management in the Nuclear Regulatory Commission's ("NRC") Office of Nuclear Reactor Regulation. I serve as a project manager for the Vermont Yankee Nuclear Power Station. Among other things, I am managing the preparation of the hearing file and mandatory disclosures in connection with the extended power uprate license amendment request 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 (d) in the captioned proceeding have been disclosed, and that the disclosures are accurate and complete as of the date of this certification.
3. I hereby certify that the foregoing is true and complete to the best of my knowledge, information and belief.

/RA/

John P. Boska

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
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ENTERGY NUCLEAR VERMONT YANKEE)	Docket No. 50-271-OLA
LLC and ENTERGY NUCLEAR)	
OPERATIONS, INC.)	ASLBP No. 04-832-02-OLA
)	
(Vermont Yankee Nuclear Power Station))	

CERTIFICATE OF SERVICE

I hereby certify that copies of the NRC Staff letter dated February 9, 2005, providing notice of the availability of the hearing file, with attachment, together with the affidavit of John P. Boska, in the captioned proceeding have been served on the following by deposit in the United States mail, first class; or as indicated by an asterisk (*), by deposit in the Nuclear Regulatory Commission's internal mail system; and by e-mail as indicated by a double asterisk (**), this 9th day of February, 2005.

Alex S. Karlin, Chair**
Administrative Judge
Atomic Safety and Licensing Board Panel
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Dr. Anthony J. Baratta**
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Respectfully submitted,

/RA/

Brooke D. Poole
Counsel for NRC Staff