



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

August 24, 2005

Anthony Z. Roisman, Esq.
National Legal Scholars Law Firm, P.C.
84 East Thetford Road
Lyme, NH 03768

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

Dear Mr. Roisman:

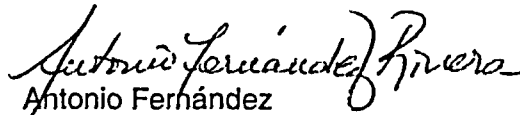
This responds to your letter dated August 9, 2005, in which you requested eight documents that were identified in the NRC Staff's Deliberative Process Privilege Log dated July 27, 2005. In response to your letter, the Staff is producing some of the requested information. Each document is discussed in turn below.

- (1) ML051870418 - The Staff is producing 3 of 8 pages. The remaining 5 pages consist of draft requests for additional information ("RAIs"), regarding the computational fluid dynamics modeling of the Vermont Yankee steam dryer. The Staff declines to produce these draft RAIs, as they constitute predecisional, deliberative information that reflects a consultative process. To the extent that the draft RAIs contain factual material, it is "inextricably intertwined" with the opinion portion. Further, it is the Staff's view that the Vermont Department of Public Service ("DPS") has no need for the draft RAIs, which do not pertain to DPS's admitted contentions regarding the use of containment overpressure.
- (2) ML051890208 - The Staff declines to produce this document. This internal communication pertains to the scheduling, utilization and organization of NRC staff resources relative to the Staff's overall evaluation of the Applicant's request. As such, it is protected by the deliberative process privilege. Further, DPS has no need for the memorandum, which does not pertain to DPS's admitted contentions.
- (3) ML051940095 & ML051990237 - The Staff declines to produce these documents. These internal communications pertain to the utilization and organization of NRC staff resources relative to the Staff's evaluation of the Applicant's station black-out coping analysis. As such, it is protected by the deliberative process privilege. Further, DPS has no need for the memorandum, which does not pertain to DPS's admitted contentions.
- (4) ML051940101 - The Staff is producing this document.

- (5) ML052060154 - The Staff is producing 2 of 5 pages. The remaining pages consist of draft RAIs, regarding the computational fluid dynamics modeling of the Vermont Yankee steam dryer. The Staff declines to produce these draft RAIs, as they constitute predecisional, deliberative information that reflects a consultative process. To the extent that the draft RAIs contain factual material, it is "inextricably intertwined" with the opinion portion. Further, DPS has no need for the draft RAIs, which do not pertain to DPS's admitted contentions regarding the use of containment overpressure.
- (6) ML052060158 - The Staff declines to produce this document. This internal communication pertains to the scheduling, utilization and organization of NRC staff resources relative to the Staff's evaluation of steam dryer modeling. As such, it is protected by the deliberative process privilege. Further, DPS has no need for the memorandum, which does not pertain to DPS's admitted contentions.
- (7) ML052060072 - The Staff declines to produce this document. This internal communication pertains to the NRC staff's treatment of the Applicant's supplement to their application concerning the station black-out coping analysis. As such, it is protected by the deliberative process privilege. Further, DPS has no need for the memorandum, which does not pertain to DPS's admitted contentions.

At this time, the documents identified above are being produced to you in hard copy as enclosures to this letter. The hearing file will be updated in accordance with NRC rules and the Licensing Board's April 5, 2005 Order. If you have any questions regarding these disclosures, please call me at (301) 415-1797.

Sincerely,


Antonio Fernández
Counsel for NRC Staff

Enclosures: As stated

cc w/encls: Sarah Hofmann, Esq.

cc w/o encls: Jay E. Silberg, Esq.

From: Cheng-Ih Wu
To: Rxe
Date: 7/18/05 2:04PM
Subject: Fwd: Re: Task 1, T/O 9, J-2898 - RAIs on CFD Report - resend with attachment

ML052060154

Mail Envelope Properties (42DBEF1C.91F : 7 : 3969)

Subject: Fwd: Re: Task 1, T/O 9, J-2898 - RAIs on CFD Report - resend with attachment
Creation Date: 7/18/05 2:04PM
From: Cheng-Ih Wu
Created By: CIW1@nrc.gov

Recipients

nrc.gov

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RXE (Rxe)

Post Office

owf4_po.OWFN_DO

Route

nrc.gov

Files

Mail

Size**Date & Time****Options**

Expiration Date: None
Priority: Standard
Reply Requested: No
Return Notification:
Send Notification when Opened

Concealed Subject: No
Security: Standard

From: S. Patrick Sekerak
To: Ennis, Rick
Date: 7/12/05 11:16AM
Subject: VY EPU: DRAFT RAI (unrelated to the RPV steam dryer)

Rick,

Attached are three technical questions requiring additional discussions with Entergy for clarification. These questions have been reviewed with EMEB-B management.

Pat Sekerak x2623 09E17

CC: Karas, Rebecca; Manoly, Kamal; Scarbrough, Thomas; Wu, Cheng-lh

ML051940101

Mail Envelope Properties (42D3DEB4.C32 : 0 : 16707)

Subject: VY EPU: DRAFT RAI (unrelated to the RPV steam dryer)
Creation Date: 7/12/05 11:16AM
From: S. Patrick Sekerak

Created By: PXS1@nrc.gov

Recipients

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CIWI CC (Cheng-Ih Wu)
TGS CC (Thomas Scarbrough)

nrc.gov

owf2_po.OWFN_DO
KAM CC (Kamal Manoly)

nrc.gov

owf4_po.OWFN_DO
RLK CC (Rebecca Karas)
RXE (Rick Ennis)

Post Office

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nrc.gov

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Options

Expiration Date: None
Priority: Standard
Reply Requested: No
Return Notification: None

Concealed Subject: No
Security: Standard

**Vermont Yankee Nuclear Power Station
License No. DPR-28
Docket No. 50-271
Proposed Extended Power Uprate**

The NRR/DE/EMEB staff requests a conference call with Entergy to discuss clarification of the technical issues described below.

Reference 1: GE Nuclear Energy Report, NEDEC-33090-P, Rev. 0, "Safety Analysis Report for Vermont Yankee Nuclear Power Station Constant Pressure Power Uprate," dated September 2003.

1. Ref. 1, Pg. 3-4, first bullet item: ASME Section XI, IWB-3641 is cited as the code requirements governing the stress analysis of the modification of the Core Spray nozzle and safe end. Please discuss applicability of IWB-3641, which provides procedures for piping flaw evaluation, in lieu of the original Code of construction for analysis of modifications made to this component.
2. Ref. 1, Pg. 3-20, last paragraph: Regarding the statement, "For those systems that do not require a detailed analysis, pipe routing and flexibility was evaluated and determined to be acceptable,"
 - (a) Discuss the method used for evaluating flexibility of piping,
 - (b) What acceptance criteria are applicable to the flexibility evaluation,
 - (c) Which piping systems were evaluated with this approach.
3. Ref. 1, Pg. 3-35, Table 3-3: The primary plus secondary stress level reported for the feedwater nozzle and safe end under CPPU conditions is extremely close to the allowable ASME Code limit. Please discuss the general analytical approach used to calculate this stress. Also, explain the primary reasons for the 21% increase in stress over the CLTP stress reported, and why the feedwater nozzle CPPU stress and usage factor increases are so much larger than the increases for the other components listed in Table 3-3.

From: Cheng-Ih Wu
To: Rick Ennis
Date: 7/1/05 11:53AM
Subject: Third EMEB RAI on VYNPS Dryer Integrity Issue

Rick,

The attached is our third set of RAIs which includes input from RES, and ANL and its Penn State subcontractor pertaining to the VYNPS CFD analysis in Supplement 29. The attached RAI also includes Tom Scarbrough's and my comments. Let me know if you shall have a question.

John

CC: Kamal Manoly; Thomas Scarbrough

Mail Envelope Properties (42C566F1.27E : 6 : 19136)

Subject: Third EMEB RAI on VYNPS Dryer Integrity Issue
Creation Date: 7/1/05 11:53AM
From: Cheng-Ih Wu
Created By: CIW1@nrc.gov

Recipients

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KAM CC (Kamal Manoly)
TGS CC (Thomas Scarbrough)

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RXE (Rick Ennis)

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Options

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Security: Standard