

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
Before the
ATOMIC SAFETY AND LICENSING BOARD

April 26, 2006 (3:01pm)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

In the Matter of Entergy Nuclear Vermont Yankee, LLC
and Entergy Nuclear Operations, Inc. (Vermont Yankee
Nuclear Power Station) (Technical Specification Proposed
Change No. 362)

April 20, 2006

Docket No. 50-271-OLA

ASLBP No. 04-832-02-OLA

**NEW ENGLAND COALITION'S REQUEST
FOR LEAVE TO FILE A NEW CONTENTION**

I. INTRODUCTION

The New England Coalition, by and through its *pro se* representative, Raymond Shadis, files this request for leave to file a new contention pursuant to 10 CFR §2.309(f)(2).

II. BACKGROUND

A. By letter dated September 10, 2003, as supplemented by 45 letters ("Supplements"), with Supplement 45 added to Nuclear Regulatory Commission ("NRC") Agencywide Document Access and Management System ("ADAMS") on March 8, 2006, Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. ("ENVY or the licensee") submitted a proposed license amendment for the Vermont Yankee Nuclear Power Station (Vermont Yankee).

The proposed amendment, "Technical Specification Proposed Change No. 263, Extended Power Uprate," would allow an increase in the maximum authorized reactor power level for Vermont Yankee from 1593 megawatts thermal (MWT) to 1912 MWT.

B. On August 30, 2004, New England Coalition and the State of Vermont filed timely petitions to intervene and requests for a hearing - together with proposed contentions.

C. On November, 22, 2004, the Atomic safety and Licensing Board Panel ("Board") serving this Docket issued a memorandum and order admitting selected contentions and ruling that the State of Vermont and New England Coalition had standing to intervene under 10 CFR § 2.309 (a) and 10 CFR §2.309 (d)(1). The

Board's order granted New England Coalition standing in this matter to represent through its *pro se* representative both the organization's interests and the interests of representative members.

D. On November 2, 2005, the NRC published its draft Safety Evaluation Report ("SER") for the Vermont Yankee Technical Specification Proposed Change No. 263. NRC staff qualified publication of the draft SER with the caveat that additional information could be required of the licensee before final NRC staff approval. November 25, 2005 to ADAMS, (ML053260427).

NRC Staff provided the Final Safety Evaluation Report to New England Coalition on March 6, 2006.

On April 7, 2006, New England Coalition, having apprehended new information and information regarding the proposed License Amendment, that was substantially different than that previously available, filed three proposed new contentions.

Disposition of these proposed contentions is pending.

Since the April 6th filing, New England Coalition has become aware of new information regarding the failing performance of predictive methodologies employed at the Quad Cities Unit 2 Nuclear Power Station and Vermont Yankee Nuclear Power Station. Specifically, on April 7, 2006, Quad Cities Unit 2 reported that an inspection of the Unit 2 steam dryer revealed a crack, approximately five feet in length with multiple branches in the skirt region of the dryer, plus additional lesser cracks on internal bracing. This dryer had been instrumented with several strain gauges, pressure transducers, and accelerometers, which failed to predict or detect the cracking.

On April 11, 2006 and April 12, 2006, documents were made public that show both NRC Staff's and the Licensee's continued or renewed reliance on the failed Quad Cities methodologies in providing a technical basis for ascension power testing at Vermont Yankee Nuclear Power Station.

This new and substantially different information forms the initiating basis for New England Coalition's proposed new contention.

III. New England Coalition's Proposed New Contention

The failure of modeling, testing, and analysis, in support of extended power uprate (EPU), to detect or predict recent discovery of a 5 foot crack with multiple branches on

the surface of the Quad Cities Unit 2 dryer indicates that the technical basis for ascension power testing at the Entergy Vermont Yankee Nuclear Power Station, largely based on the Quad Cities model and methodology, is flawed and cannot reliably predict steam dryer durability or performance under EPU conditions. Because a cracked or fractured steam dryer can result in an accident, prevent mitigation of an accident, or increase the consequences of an accident, with a major catastrophic effects on public health and safety, and because Vermont Yankee is proceeding in an unknown condition, the Atomic Safety and Licensing Board, (ASLB) must not permit Vermont Yankee to operate at the EPU conditions until such time as it can be definitively demonstrated that the ascension power testing program at Vermont Yankee has not been invalidated by the experience at Quad Cities.

IV. Legal Standards Applicable to Admission of New England Coalition's Proposed New (Late-Filed) Contention

A. Under 10 C.F.R. § 2.309 (c), a late-filed contention may be admitted only upon the presiding officer's determination that it should be admitted after balancing certain factors. New England Coalition will address in this filing, as required for consideration of the presiding officer, the following eight factors delineated in **10 C.F.R §3.309 (c)**:

(i) Good cause, if any, for the failure to file on time:

Information that is new and substantially different from that which preceded it forms the initiating basis for New England Coalition's proposed new contention. Specifically, NRC Staff's Technical Basis For Continued Power Ascension Of Vermont Yankee Nuclear Power Station Up To 110% Original Licensed Power (ML060970111) and, Vermont Yankee-Revision 1 to Steam Dryer Monitoring Plan (ML060930689) were made public, that is posted on the NRC Agencywide Documents Access and Management System (ADAMS) on April 11, 2006 and April 12, 2006, respectively.

(ii) The nature of the requestor's/petitioner's right under the Act to be made a party to the proceeding:

New England Coalition is already a party to the proceeding and has two admitted contentions waiting hearing before the Board. The Board has found New England Coalition to have standing to appear before it in this matter.

(iii) The nature and extent of the requestor's/petitioner's property, financial or other interest in the proceeding:

New England Coalition has already demonstrated its interest in the proceeding in order to be granted standing to appear. Those interests, primarily increased risks to property, human health and the environment from the proposed extended power uprate, insofar as they are encompassed in the subject matter of the two contentions already admitted, are identical to the interests in the admission of the new contention proposed in this filing.

(iv) The possible effect of any order that may be entered in the proceeding on the requestor's/petitioner's interest:

An order from the Board, for example, requiring, a more thorough steam dryer integrity or design analysis, installation of a replacement steam dryer specifically design to withstand increased flow-induced vibration resulting from EPU, or denying permission to implement uprate, has the real potential to mitigate the identified harms (increased likelihood of an accident and potential accident consequences) to New England Coalition's interest(s).

(v) The availability of other means whereby the requestor's/petitioner's interest will be protected:

New England Coalition's interest (property, human health, and the environment) is at increased risk from radiation release or nuclear accident. Under the Atomic Energy Act (as amended), NRC is sole regulator insofar as nuclear accident risk and nuclear reactor regulation. Intervention in this proceeding is the only venue available at this juncture in which anything resembling due process is available to address inadequacies in the proposed

technical specification change (license action). Further, in as much as NRC staff does not consider the steam dryer to be safety related equipment and therefore not subject to enforcement action, it is unlikely that an NRC Petition Review Board would accept a 10 CFR §2.206 petition regarding steam dryer integrity.

(vi) The extent to which the requestor's/petitioner's interests will be represented by existing parties:

New England Coalition has already made a showing, confirmed by the Board's Memorandum and Order of November 22, 2004, that there is no other party protecting its particular interests in this proceeding. That remains the case, among the four parties admitted to this proceeding, with respect to New England Coalition's proposed new contentions.

1. The Department of Public Service has not raised the issue addressed in New England Coalition's proposed new contention and have not expressed an interest in the issues contained either in New England Coalition's proposed pending new contentions or in New England Coalition's admitted contentions regarding the necessity of full-transient testing and seismic qualification of the cooling towers.

2. The NRC Staff, having already accepted, approved and defended ENVY's analysis and positions regarding the subject matter of the proposed contention through issuance of the NRC Staff's Technical Basis For Continued Power Ascension Of Vermont Yankee Nuclear Power Station Up To 110% Original Licensed Power (ML060970111) is not now likely to reverse itself by representing the interest of New England Coalition, it's members, or constituents, as that interest is expressed by remaining grave concern evident in the contentions that Technical Specification Proposed Change No. 362 poses aggravated risk to personal and public health and safety.

3. ENVY remains in dispute over New England Coalition's accepted contentions. ENVY has represented through Vermont Yankee-Revision 1 to Steam Dryer Monitoring Plan that it believes New England Coalition's concerns as expressed in its proposed new

contention are without merit. ENVY will not represent New England Coalition's interests in this matter.

New England Coalition alone can and does represent its interests.

(vii) The extent to which the requestor's/petitioner's participation will broaden the issues or delay the proceeding:

1. New England Coalition has already made a showing, confirmed by the Board's Memorandum and Order of November 22, 2004, that its participation will not unduly broaden or delay this proceeding.

New England Coalition's proposed new contention is well within the scope of this proceeding and requires no extraordinary processes for adjudication. Any reasonable lengthening of the schedule will be determined at the discretion of the Board and should be weighed against what may be gained toward the ultimate stated purpose of the NRC and ASLB hearings, that is, maintaining reasonable assurance of public health and safety.

3. The proposed new Contention is very narrowly drawn, turning on the single question of whether or not the ascension power testing program underway at Vermont Yankee in support of extended power uprate is capable of predicting steam dryer performance.

(viii) The extent to which the requestor's/petitioner's participation may reasonably be expected to assist in developing a sound record.

1. New England Coalition has retained former NRC staff member Dr. Joram Hopenfeld as an expert witness. With Dr. Hopenfeld's expert technical assistance and direction New England Coalition can assist the Board in developing a sound record on proposed technical specification change (EPU).

2. The Board has previously acknowledged New England Coalition's ability to contribute toward building a sound record by granting it intervenor (party) status and accepting two of its contentions for litigation. New England Coalition will demonstrate in the remainder of this

pleading that it will also meet the same high standard for assisting the Board in developing a sound record in its proposed new contention.

B. In addition, New England Coalition now addresses Commission regulations under 10 C.F.R. § 2.309(f)(2) requiring that a proposed late-filed contention may be admitted with leave of the presiding officer only upon a showing that:

- (i) **the information upon which the amended or new contention is based was not previously available:**

NRC Staff's Technical Basis For Continued Power Ascension Of Vermont Yankee Nuclear Power Station Up To 110% Original Licensed Power (ML060970111) was added to ADAMS on April 11, 2006. Vermont Yankee-Revision 1 to Steam Dryer Monitoring Plan (ML060930689) was added to ADAMS on April 12, 2006.

- (ii) **the information upon which the amended or new contention is based is materially different than information previously available:**

NRC Staff's Technical Basis For Continued Power Ascension Of Vermont Yankee Nuclear Power Station Up To 110% Original Licensed Power (ML060970111) and, Vermont Yankee-Revision 1 to Steam Dryer Monitoring Plan (ML060930689) show that both NRC Staff and Entergy Nuclear Vermont Yankee now take the position that the failure of the Quad Cities 2 modeling and methodology to either predict or detect substantial cracking of the Quad Cities 2 steam dryer is irrelevant to continued use of the Quad Cities 2 modeling and methodology at Vermont Yankee. This response to events at Quad Cities presents a wholly new position on the part of NRC Staff and Entergy Nuclear Vermont Yankee. Therefore, the information that forms the initiating basis for New England Coalition's proposed new contention is new and materially different from that which preceded it.

- (iii) **the amended or new contention has been submitted in a timely fashion based on the availability of the subsequent information.**

As stated above, the information forms the initiating basis for New England Coalition's proposed new Contention was added to ADAMS on April 11, 2006 and April 12, 2006. Thus this proposed contention is submitted within ten days of availability.

C. Finally, in addition to fulfilling the requirements of 10 C.F.R. § 2.309(f)(2), New England Coalition will also show that the late-filed contention meets the standard contention admissibility requirements of § 2.309(f)(1)(i)-(vi), which requires a petitioner to:

(i) provide a specific statement of the issue of law or fact to be raised or controverted:

New England Coalition contends that NRC Staff and Entergy Nuclear Vermont Yankee cannot demonstrate reasonable assurance of public health and safety, nor satisfy license commitments, while continuing to rely on failed Quad Cities 2 modeling and methodology to monitor Vermont Yankee steam dryer performance.

(ii) provide a brief explanation of the basis for the contention:

This basis is provided in the foregoing and following material and in the attached Declaration of Dr. Joram Hopenfeld.

(iii) demonstrate that the issue raised in the contention is within the scope of the proceeding:

The Entergy Nuclear Vermont Yankee commitment to ascension power testing using the Quad Cities model is an integral part of the Technical Specification Proposed Change No. 263 application and in particular of Supplement 42. Thus, it is within the scope of the proceeding.

(iv) demonstrate that the issue raised in the contention is material to the findings the NRC must make to support the action that is involved in the proceeding:

In order to support the action that is involved in this proceeding, NRC must find that the Technical Specification Proposed Change at issue will not, as implemented by the licensee, significantly increase the consequences or the likelihood of an accident (10CFR§ 50.59). NRC must find that the extended power uprate will not adversely affect the plant's substantial compliance with applicable NRC regulation.

The proposed contention asserts with substantial basis and supported by expert testimony that the likelihood of an accident will be substantially increased if an extended power uprate is approved and implemented at Vermont Yankee.

- (v) **provide a concise statement of the alleged facts or expert opinions which support the requestor's/petitioner's position on the issue and on which the petitioner intends to rely at hearing, together with references to the specific sources and documents on which the requestor/petitioner intends to rely to support its position on the issue:**

The required statement is provided in the Declaration of Dr. Joram Hopenfeld; included in Exhibit One and attached to this Request. Dr. Hopenfeld will serve as New England Coalition's expert in this matter. Dr. Hopenfeld will rely on the documents cited in this Request, the Docket 50-271 Technical Specification Proposed Change No. 263 application and its supplements and supporting materials, and other publicly available relevant materials. In sum, Dr. Hopenfeld offers his considered professional opinion, based upon experience and an in depth review of the relevant documents, that the ascension power testing program at Vermont Yankee cannot predict steam dryer performance to a reasonable degree of accuracy; and that loose parts from a failed steam dryer can create a hazard to reactor operation and interfere with the function of safety related components. Thus, Dr. Hopenfeld continues, operation of a reactor at extended uprate power with a steam dryer in an unknown condition creates an undetermined, but potentially significant risk to public health and safety.

- (vi) **provide sufficient information to show that a genuine dispute exists with the applicant/licensee on a material issue of law or fact. This information must include references to specific portions of the application (including the applicant's environmental report and safety report) that the petitioner disputes and the supporting reasons for each dispute, or, if the petitioner believes that the application fails to contain information on a relevant matter as required by law, the identification of each failure and the supporting reasons for the petitioner's belief**

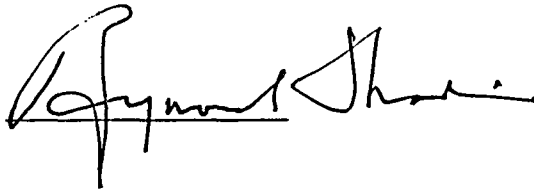
Dr. Hopenfeld's Declaration on behalf of New England Coalition disputes assumptions of both NRC Staff and the licensee with respect to the adequacy of the Quad Cities 2 modeling and methodology to predict steam dryer performance at Vermont Yankee to any degree of accuracy over time. Dr. Hopenfeld takes issue with Vermont Yankee-Revision 1 to Steam Dryer Monitoring Plan and NRC Staff's Technical Basis For Continued Power Ascension Of Vermont Yankee Nuclear Power Station Up To 110% Original Licensed Power with respect to continued reliance on Quad Cities modeling and methodologies. Both documents are in essence compliance filings capturing commitments for ascension power testing in Supplement 42 of the Technical Specification Proposed Change No. 263 application. Dr. Hopenfeld also takes issue with representations and documents that lay the foundation for adopting the Quad Cities 2 modeling and methodology. After referencing the Quad Cities Unit 2 steam dryer failure, Dr. Hopenfeld states, "The replacement dryer at Quad Cities Unit 2 was subjected to the state of the art Acoustic Circuit Model, (ACM) and stress analysis codes. The NRC was assured time and time again (ML 060030127, ML051290326, ML 060030125) that the analysis was conservative and that the steam line gauge measurements would preclude any possibility that the loads on the dryer would exceed their design limits." This confidence was misplaced, Dr. Hopenfeld asserts, both then and now. New England Coalition notes and disputes the conclusions of Entergy Nuclear Vermont Yankee and NRC Staff per Vermont Yankee-Revision 1 to Steam Dryer Monitoring Plan and NRC Staff's Technical Basis For Continued Power Ascension Of Vermont Yankee Nuclear Power Station Up To 110% Original Licensed Power that it is okay to ignore the events at Quad Cities based on second-hand root cause analysis. Even Quad Cities, according to PNO-III-06-010, has yet to make an absolute determination on the cause of the extensive multiple cracks discovered during inspection, "This crack is believed to have been caused by binding difficulties experienced during initial installation last year, but **root cause evaluation is still in process....[and] Evaluations of all cracks and indications are continuing...**" [Emphasis

added]. New England Coalition disputes the NRC Staff and Licensee assumptions (contained in the above referenced documents) that there exists defensible technical basis for going forward with ascension power testing on the Quad Cities model until thorough root cause analysis of the Quad Cities Unit 2 failure has been completed and reviewed.

CONCLUSION

For all of the good reasons stated above New England Coalition respectfully requests that the Board take up this proposed new contention for adjudication. New England Coalition respectfully requests that if the Board finds this petition deficient, the Board permit New England Coalition time and opportunity to cure the deficiencies. Where this Board has discretion, New England Coalition respectfully requests that, inasmuch as the issues raised in the Proposed New Contentions are technically credible and of grave significance, the Board exercise such discretion on the side of caution and public safety; permitting full and fair hearing. New England Coalition's new contention should be taken up by the Board and adjudicated in the instant proceeding as it satisfies the requirements of 10 CFR §2.309.

Respectfully submitted:

A handwritten signature in black ink, appearing to read 'Raymond Shadis', written over a horizontal line.

Raymond Shadis
Pro Se Representative
New England Coalition
Post Office Box 98,
Edgecomb, Maine 04556
207-882-7801
shadis@prexar.com

UNITED STATES
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the matter of

ENTERGY NUCLEAR VERMONT YANKEE, LLC
and ENERGENCY NUCLEAR OPERATIONS, INC.
(Vermont Yankee Nuclear Power Station)

April 17, 2006

Docket No. 50-271

ASLBP No. 04-832-02-OLA

DECLARATION OF DR. JORAM HOPENFELD
SUPPORTING
NEW ENGLAND COALITION'S PROPOSED NEW CONTENTION

I, Dr. Joram Hopenfeld, declare as follows:

1. My name is Dr. Joram Hopenfeld. I reside at 1724 Yale Place, Rockville, Maryland.
2. The New England Coalition has retained me as an expert witness in the above captioned matter.
3. I am a mechanical engineer and hold a doctorate in engineering.
4. I have 45 years of professional experience in the fields of instrumentation, design, project management, and nuclear safety; including 18 years in the employ of the U.S. Nuclear Regulatory Commission. I have previously offered expert testimony in this proceeding in support of New England Coalition's Answer To Entergy's Motion For Summary Disposition of New England Coalition Contention 3, which was filed 12/23/2005 and to which I attached my Curriculum Vitae as Exhibit A. I have, in addition, offered expert testimony in support of New England Coalition's Request for

Leave to File New Contentions (based on the Final Safety Evaluation Report), filed 04/07/2006.

5. I have reviewed the Entergy Nuclear Vermont Yankee ("ENVY" or the "Licensee") Technical Specification Proposed Change No.263 (and Supplements), the Final Safety Evaluation Report, and such publicly available documents as are relevant to the subject of my declaration; including those in the record of the above captioned proceeding.

6. My declaration is intended to support New England Coalition's Proposed New Contention Regarding Ascension Power Testing, as stated below:

New Contention

The failure of modeling, testing, and analysis, in support of extended power uprate (EPU), to detect or predict recent discovery of a 5 foot crack with multiple branches on the surface of the Quad Cities Unit 2 dryer indicates that the technical basis for ascension power testing at the Entergy Vermont Yankee Nuclear Power Station, largely based on the Quad Cities model and methodology, is flawed and cannot reliably predict steam dryer durability or performance under EPU conditions. Because a cracked or fractured steam dryer can result in an accident, prevent mitigation of an accident, or increase the consequences of an accident, with a major catastrophic effects on public health and safety, and because Vermont Yankee is proceeding in an unknown condition, the Atomic Safety and Licensing Board, (ASLB) must not permit Vermont Yankee to operate at the EPU conditions until such time as it can be definitively demonstrated that the ascension power testing program at Vermont Yankee has not been invalidated by the experience at Quad Cities.

II. Basis for Contention

The growth and propagation of cracks on steam dryer surfaces can result in the formation of loose parts, which can then be dispersed throughout the reactor system. Some of these loose parts may be lodged at critical locations such as fuel flow channels or main steam line isolation valves and block the flow of the water or the steam. Such a blockage could lead to fuel overheating or to interference with the shut down of the plant

during emergencies; a core melt and a major release of radioactivity to the environment then may follow.

In fact, the formation and migration of loose parts has already been observed at Quad Cities (ML022530291, NRC Information Notice 2002-26: Failure Of Steam Dryer Cover Plate After A Recent Power Uprate; ML031980434, NRC Information Notice 2002-26, Supplement 1: Additional Failure Of Steam Dryer After A Recent Power Uprate; ML040080392, NRC Information Notice 2002-26, Supplement 2: Additional Flow-Induced Vibration Failures After A Recent Power Uprate). Fortunately, the damaged steam dryer was removed in time, that is, before further damage to the plant could have occurred.

The replacement dryer at Quad Cities Unit 2 was subjected to the state of the art Acoustic Circuit Model, (ACM) and stress analysis codes. The NRC was assured time and time again (ML 060030127, ML051290326, ML 060030125) that the analysis was conservative and that the steam line gauge measurements would preclude any possibility that the loads on the dryer would exceed their design limits.

The damage to the replacement dryer only after several months of operations demonstrates that the analytical tools and the monitoring instruments that are currently used to predict vibrations and dryer loads are not sufficiently accurate. This lack of accuracy can be expected if one considers the overall complexities which are inherent in the interaction of high velocity flows (168 ft/sec) with structures of complex geometries.

The analytical tools such as the ACM were derived from basic fluid dynamic equations that were tested on small-scale models. Because of the presence of turbulence at these

high flow rates, empirical parameters must be employed in the analysis, these parameters are known to be very sensitive to the geometry and size, and therefore unless the scaling laws are well understood, extrapolation of data from small test models to a large structure such as the dryer are subject to large uncertainties. From the history of crack formation at Quad Cities and other plants, it is apparent that the scaling laws of extrapolating data on dryer behavior from tests at the GE facility are not known.

The possibility that the 5 ft crack with branches at Quad Cities was formed during the installation of the dryer must also be considered. However, since the on-line gauges are not capable of detecting the presence of cracks, the history of this crack is not knowable.

Because of the long history of crack formation and growth that were observed at Quad Cities in 2002, 2003 and 2004, it is, in my professional opinion, quite probable that flow induced vibration played a major part in causing the crack to reach a length of 5ft.

The methodology of predicting the loads on the dryer at Vermont Yankee is essentially identical to the methodology that was used at Quad Cities (ML060930689, Vermont Yankee-Revision 1 to Steam Dryer Monitoring Plan).

NRC Staff's Technical Basis For Continued Power Ascension Of Vermont Yankee Nuclear Power Station Up To 110% Original Licensed Power (ML060970111, April 5, 2006) notwithstanding, the recent experience with the Quad Cities Unit 2 steam dryer (ML060970521, Preliminary Notification Of Event Or Unusual Occurrence - PNO-III-06-010, April 7, 2006) clearly demonstrates that Entergy Nuclear Vermont Yankee cannot adequately assure NRC or the public that the plant can operate safely at the EPU conditions.

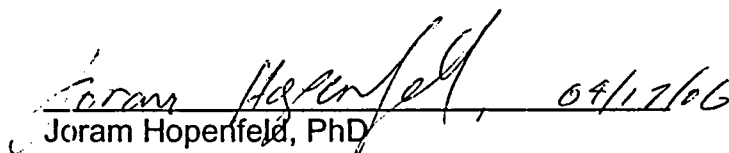
III. Conclusion

For the above-discussed reasons, it is my professional opinion that New England Coalition's proposed new contention addressing the above-described inadequacies ENVY's steam dryer analysis is supported by an examination of topically relevant industry and NRC documents; Docket 50-271 Technical Specification Proposed Change No. 263 documents, and by credible evidence based upon the experience of the unanticipated Quad Cities 2 steam dryer failure as documented in PNO III-06-010.

Based upon my experience working for the United States Nuclear Regulatory Commission and the documents referenced herein, it is also my professional opinion that the issue discussed above, as included in New England Coalition's proposed new contention, presents serious public health safety considerations germane to the subject of the license application in this case. Therefore, the Atomic Safety and Licensing Board should examine all of these issues in the context of a full hearing before making a final decision on the Vermont Yankee EPU application.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this day, April 17, 2006 at Rockville, Maryland.


Joram Hopenfeld, PhD 04/17/06

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

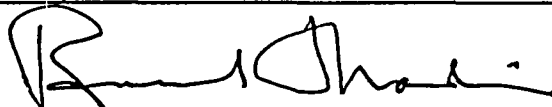
In the Matter of)) ENTERGY NUCLEAR VERMONT YANKEE) LLC and ENTERGY NUCLEAR) OPERATIONS, INC.)) (Vermont Yankee Nuclear Power Station))	Docket No. 50-271-OLA ASLBP No. 04-832-02-OLA
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CERTIFICATE OF SERVICE

I hereby certify that copies of New England Coalition's REQUEST FOR LEAVE TO FILE NEW CONTENTION in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class this day of April 20th 2006 and by e-mail as indicated by a double asterisk (**), the 20th day of April , 2006¹.

Alex S. Karlin, Chair** Administrative Judge Atomic Safety and Licensing Board Panel Mail Stop T-3F23 U.S. Nuclear Regulatory Commission Washington, DC 20555-0001 E-mail: ask2@nrc.gov	Dr. Anthony J. Baratta** Administrative Judge Atomic Safety and Licensing Board Panel Mail Stop T-3F23 U.S. Nuclear Regulatory Commission Washington, DC 20555-0001 E-mail: ajb5@nrc.gov
Lester S. Rubenstein** Administrative Judge Atomic Safety and Licensing Board Panel 4760 East Country Villa Drive Tucson, AZ 85718 E-mail: lesrrr@comcast.net	Office of the Secretary** ATTN: Rulemaking and Adjudications Staff Mail Stop: O-16C1 U.S. Nuclear Regulatory Commission Washington, DC 20555-0001 E-mail: HEARINGDOCKET@nrc.gov
Office of Commission Appellate Adjudication Mail Stop: O-16C1 U.S. Nuclear Regulatory Commission Washington, DC 20555-0001	John M. Fulton, Esq. Assistant General Counsel Entergy Nuclear Operations, Inc. 440 Hamilton Avenue White Plains, NY 10601

<p>Jay E. Silberg, Esq.** Matias Travieso-Diaz, Esq.** Pillsbury Winthrop Shaw Pittman, LLP 2300 N St., NW Washington, DC 20037-1128 E-mail: jay.silberg@pillsburylaw.com matias.travieso-diaz@pillsburylaw.com</p>	<p>Sarah Hofmann, Esq.** Special Counsel Department of Public Service 112 State Street - Drawer 20 Montpelier, VT 05620-2601 E-mail: sarah.hofmann@state.vt.us</p>
<p>Anthony Z. Roisman, Esq.** National Legal Scholars Law Firm 84 East Thetford Rd. Lyme, NH 03768 E-mail: aroisman@nationallegalscholars.com</p>	
<p>Jonathan M. Rund, Esq.** Law Clerk Atomic Safety and Licensing Board Panel Mail Stop: T-3F23 U.S. Nuclear Regulatory Commission Washington, DC 20555-0001 (E-mail: jmr3@nrc.gov)</p>	<p>Sherwin E. Turk, Esq.** Jason C. Zorn, Esq.** Office of the General Counsel Mail Stop O-15 D21 U.S. Nuclear Regulatory Commission Washington, DC 20555-0001 set@nrc.gov, jcz@nrc.gov</p>



Raymond Shadis
Pro Se Representative
New England Coalition
Post Office Box 98,
Edgecomb, Maine 04556
207-882-7801
shadis@prexar.com

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(Vermont Yankee Nuclear Power Station)

April 20, 2006

Docket No. 50-271

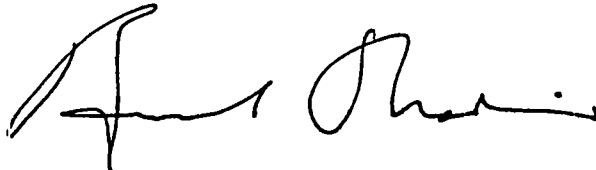
ASLBP No. 04-832-02-OLA

Office of the Secretary
ATTN: Rulemaking and Adjudications Staff
Mail Stop: O-16C1
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Rulemaking and Adjudications Staff,

Please find for filing in the above captioned matter one original and two copies of **NEW ENGLAND COALITION'S REQUEST FOR LEAVE TO FILE A NEW CONTENTION.**

Thank you for your kind assistance in making this filing,



Raymond Shadis
Pro se Representative
New England Coalition
Post Office Box 98
Edgecomb, Maine 04556
207-882-7801
shadis@prexar.com