

RAS 11762

HARMON, CURRAN, SPIELBERG & EISENBERG, LLP

1726 M Street, NW, Suite 600 Washington, DC 20036

(202) 328-3500 (202) 328-6918 fax

May 30, 2006

BY FEDERAL EXPRESS
Office of the Secretary
U.S. Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, MD 20852
301-415-1966

DOCKETED
USNRC

May 30, 2006 (3:30pm)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

SUBJECT: *Filing of original documents in Pilgrim and Vermont Yankee
License Renewal Proceedings*

Dear Madam/Sir:

On behalf of the Massachusetts Attorney General, I am submitting the originals of several documents for which I filed copies of faxed signature pages on May 26, 2006 in connection with the Massachusetts Attorney General's hearing request and backfit petition in the Pilgrim and Vermont Yankee license renewal cases. They consist of declarations by Dr. Jan Beyea (Exhibit 2 to Pilgrim and Vermont Yankee hearing requests) and notices of appearance for Matthew Brock.

Sincerely,


Diane Curran

Cc w/o enclosures: Susan L. Uttal, NRC OGC
David R. Lewis, counsel for Entergy Nuclear Operations, Inc.
Terence A. Burke, counsel for Entergy Nuclear Operations, Inc.

Template = SECy -037

SECYU

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE COMMISSION

In the Matter of)	
)	
Entergy Nuclear Operations, Inc.)	Docket No. 50-271
)	
(Vermont Yankee)	
Nuclear Power Station))	

**DECLARATION OF DR. JAN BEYEA
IN SUPPORT OF MASSACHUSETTS ATTORNEY GENERAL'S
CONTENTION AND PETITION FOR BACKFIT ORDER**

I, Jan, Beyea, declare as follows:

1. I am senior scientist at Consulting in the Public Interest, providing scientific assistance to not-for-profits, universities, government, and injured plaintiffs.
2. In support of the Massachusetts Attorney General's request for hearing, petition to intervene and backfit petition respect to the license renewal proceeding for the Vermont Yankee nuclear power plant, I have prepared a report entitled "report to the Massachusetts Attorney General on the Potential Consequences of a Spent-Fuel Pool Fire at the Pilgrim or Vermont Yankee Nuclear Plant (May 25, 2006). In preparing my report, I reviewed the environmental report, the 1972 EIS, the FSAR, and the NRC's 1996 generic relicensing EIS. In addition, I reviewed technical documents relating to risks of spent fuel storage at this facility, which are identified in my Report. One of those documents was the report of Gordon Thompson, Ph.D.
3. The technical factual statements in my report are true and correct to the best of my knowledge, and the technical opinions expressed therein are based on my best professional judgment.
4. I am an expert regarding the consequences of both real and hypothetical nuclear accidents, as well as strategies for mitigation. I also have expertise in technical safety and environmental analysis related to nuclear facilities. My Curriculum Vitae is provided here as Attachment A.

6. After receiving my Ph.D. in nuclear physics from Columbia University, I taught environmental studies at Holy Cross College. Next, I did research at Princeton's Center For Energy and Environmental Studies modeling the consequences of nuclear accidents. I then spent 15 years at the National Audubon Society as Senior Policy Scientist, and ultimately as Chief Scientist and Vice President.

7. I am the author of over 100 articles and reports that span a diverse range of topics. I am a regular peer reviewer of articles for scientific journals. One of my specialties is geographic exposure modeling of toxic releases. My reconstruction of exposures following the TMI accident has been used in radiation epidemiologic studies. My reconstructions of historical exposures to traffic pollution are being used in two ongoing epidemiologic studies of breast cancer. I am a co-author of studies on risks and consequences of spent-fuel-pool fires. I presented a briefing on this work to a committee of the National Research Council that was studying risks of spent fuel.

8. I am prepared to testify as an expert witness on behalf of the Massachusetts Attorney General with respect to the facts and opinions set forth in my Report.

I declare, under penalty of perjury, that the foregoing facts provided in my Declaration are true and correct to the best of my knowledge and belief, and that the opinions expressed herein are based on my best professional judgment.

Executed on 25 May 2006.


Jan Beyea

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE COMMISSION

In the Matter of)	
)	
Entergy Nuclear Operations, Inc.)	Docket No. 50-271
)	
(Vermont Yankee Nuclear Power)	
Station))	
)	

NOTICE OF APPEARANCE BY MATTHEW BROCK

Pursuant to 10 C.F.R. § 2.314(b), Matthew Brock hereby enters an appearance in this proceeding as duly authorized legal counsel for the Massachusetts Attorney General. Undersigned counsel is a member in good standing of the bars of the Commonwealth of Massachusetts, State of New Hampshire, State of Maine; United States District Courts for Massachusetts, New Hampshire, and Maine; and the U.S. Courts of Appeals for the D.C. and First Circuits.

Respectfully submitted,



Matthew Brock
Assistant Attorney General
Environmental Protection Division
One Ashburton Place, Rm. 1813
Boston, MA 02108-1598
(617) 727-2200
matthew.brock@ago.state.ma.us

May 26, 2006