

September 6, 2006

Alex S. Karlin, Chairman
Administrative Judge
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dr. Anthony J. Baratta
Administrative Judge
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Lester S. Rubenstein
Administrative Judge
Atomic Safety and Licensing Board Panel
4760 East Country Villa Drive
Tucson, AZ 85718

In the Matter of
Entergy Nuclear Vermont Yankee, LLC, *et al.*
(Vermont Yankee Nuclear Power Station)
Docket No. 50-271-OLA (Extended Power Uprate)

Dear Administrative Judges:

In accordance with the Licensing Board's "Order (Site Visit and Evidentiary Hearing Administrative Matters)," dated August 24, 2006 (at 5-6), the NRC Staff herewith submits its Exhibit List, identifying the exhibits which the Staff intends to introduce during the evidentiary hearings to be held in this proceeding.

As further required by the Licensing Board's Order (at 7), on August 31, 2006, the Staff transmitted to Counsel for the Applicant the names and personal information of the Staff's representatives (Ennis, Jones, Hamrick and Turk) who will participate in the site visit to be held on September 12, 2006. As also required by the Board's Order (at 6-7), by letter dated August 30, 2006, the Staff transmitted to the Licensing Board a list of counsel, witnesses and other persons who plan to attend the upcoming hearings (including any proprietary sessions), along with each person's "Confidentiality and Non-Disclosure Agreement."

Sincerely,

/RA/

Sherwin E. Turk
Counsel for NRC Staff

Enclosures: As stated
cc w/Encl.: Service List

Dated: September 6, 2006

Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc.
(Vermont Yankee Nuclear Power Station)
Docket No. 50-271-OLA

September 2006 Evidentiary Hearing
NRC Staff's Exhibit List¹

Party Exh. #	Witness/ Panel	Description
NRC Staff 1	Ennis, Jones, Pettis, Thomas, Abdullahi	PROPRIETARY – “Safety Evaluation by the Office of Nuclear Reactor Regulation Related to Amendment No. 229 to Facility Operating License No. DPR-28, Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc., Vermont Yankee Nuclear Power Station, Docket No. 50-271” (March 2, 2006) (proprietary version).
NRC Staff 2	Ennis, <i>et al.</i>	“Safety Evaluation by the Office of Nuclear Reactor Regulation Related to Amendment No. 229 to Facility Operating License No. DPR-28, Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc., Vermont Yankee Nuclear Power Station, Docket No. 50-271” (March 2, 2006) (ADAMS Accession No. ML060050028) (non-proprietary version).
NRC Staff 3 (Withdrawn)		Letter from Graham B. Wallis, Chairman, Advisory Committee on Reactor Safeguards (“ACRS”), to NRC Chairman Nils J. Diaz, Subject: “Vermont Yankee Extended Power Uprate” (January 4, 2006). <i>Entergy Exhibit 22.</i>
NRC Staff 4	Ennis, <i>et al.</i>	NRC Regulatory Guide (“RG”) 1.68, “Initial Test Programs for Water-Cooled Nuclear Power Plants,” Revision 2 (August 1978), and Appendix A thereto.

¹ Pursuant to the Licensing Board’s “Order (Site Visit and Evidentiary Hearing Administrative Matters)” of August 24, 2006 (“Order”), the Staff herein identifies its proposed exhibits for the evidentiary hearings to be held in this proceeding. In accordance with the Licensing Board’s Order (at 6), the Staff herein retains the exhibit numbering system that was utilized in the Staff’s submission of documents on June 19, 2006. In addition, in order to avoid duplication (see Order at 5), the Staff will not introduce documents which the Applicant has identified as exhibits; the Staff herein identifies those documents as being withdrawn as Staff exhibits at this time, and provides the Applicant’s corresponding exhibit number.

Party Exh. #	Witness/ Panel	Description
NRC Staff 5	Ennis, <i>et al.</i>	Office of Nuclear Reactor Regulation, "Review Standard for Extended Power Upgrades," RS-001, Rev. 1 (Dec. 2003) (ADAMS Accession No. ML033640024) (identified and provided as "Staff Exhibit A" on May 17, 2006).
NRC Staff 6 (Withdrawn)		Office of Nuclear Reactor Regulation, "Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants," NUREG-0800, § 14.2.1, "Generic Guidelines for Extended Power Uprate Testing Programs," Draft Revision 0, dated December 2002 (identified and provided as "Staff Exhibit B" on May 17, 2006). Entergy Exhibit 4.
NRC Staff 7 (Withdrawn)		Attachment 7 to Entergy's EPU application, "Vermont Yankee Nuclear Power Station, Proposed Technical Specification Change No. 263, Extended Power Uprate, Justification for Exception to Large Transient Testing" (Sept. 10, 2003). Entergy Exhibit 5.
NRC Staff 8 (Withdrawn)		Attachment 7 to Entergy's EPU application, "Vermont Yankee Nuclear Power Station, Proposed Technical Specification Change No. 263, Supplement No. 3, Extended Power Uprate, Justification for Exception to Large Transient Testing" (Oct. 28, 2003). Entergy Exhibit 6.
NRC Staff 9	Ennis, <i>et al.</i>	Letter from Jay K. Thayer (Entergy) to NRC Document Control Desk, transmitting Supplement No. 23 to Entergy's EPU application – Response to Request for Additional Information (Feb. 24, 2005) (partial document).
NRC Staff 10	Ennis, <i>et al.</i>	Letter from Jay K. Thayer (Entergy) to NRC Document Control Desk, transmitting Supplement No. 28 to Entergy's EPU application – Response to Request for Additional Information (April 22, 2005) (partial document).
NRC Staff 11	Ennis, <i>et al.</i>	Letter from Robert J. Wanczyk (Entergy) to NRC Document Control Desk, transmitting Supplement No. 30 to Entergy's EPU application – Response to Request for Additional Information (Aug. 1, 2005) (partial document – Attachment 8).
NRC Staff 12 (Withdrawn)		GE Licensing Topical Report NEDC-33004P-A, Revision 4, "Constant Pressure Power Uprate" (July 2003). Entergy Exhibit 25.

Party Exh. #	Witness/ Panel	Description
NRC Staff 13 (Withdrawn)		Letter from William H. Ruland (NRC) to James F. Klapproth (GE Nuclear Energy), dated March 31, 2003, transmitting "Safety Evaluation by the Office of Nuclear Reactor Regulation, GE Nuclear Energy Licensing Topical Report, NEDC-33004P, Revision 1, 'Constant Pressure Power Uprate', Project No. 710" (non-proprietary version) (Sections 3.4 and 10.5 were identified and provided as "Staff Exhibit C" on May 17, 2006). Included (pages 3 - 87) in Entergy Exhibit 25.
NRC Staff 14 (Withdrawn)		PROPRIETARY – Letter from William H. Ruland (NRC) to James F. Klapproth (GE Nuclear Energy), dated March 31, 2003, transmitting "Safety Evaluation by the Office of Nuclear Reactor Regulation, GE Nuclear Energy Licensing Topical Report, NEDC-33004P, Revision 1, 'Constant Pressure Power Uprate', Project No. 710." Included (pages 3 - 87) in Entergy Exhibit 30.
NRC Staff 15 (Withdrawn)		Letter from Robert L. Tedesco (NRC) to Dr. G. G. Sherwood (General Electric Co.), dated February 4, 1981, Subject: "Acceptance for Referencing General Electric Licensing Topical Report NEDO-24154/NEDE-24154P," with enclosed "Safety Evaluation for the General Electric Topical Report Qualification of the One-Dimensional Core Transient Model for Boiling Water Reactors, NEDO-24154 and NEDE-24154-P" (June 1980). Included (pages 4 - 109) in Entergy Exhibit 26.
NRC Staff 16 (Withdrawn)		"Supplemental Safety Evaluation for the General Electric Topical Report Qualification of the One-Dimensional Core Transient Model for Boiling Water Reactors, NEDO-24154 and NEDE-24154-P" [January 1981]. Included (pages 110 - 125) in Entergy Exhibit 26.
NRC Staff 17	Ennis, <i>et al.</i>	Letter from Cecil O. Thomas (NRC) to J. S. Charnley (General Electric Co.), dated November 5, 1985 ("Acceptance for Referencing of Licensing Topical Report NEDE-24011-P-A, Rev. 6, Amendment 11, 'General Electric Standard Application for Reactor Fuel' (GESTAR II))."
NRC Staff 18	Ennis, <i>et al.</i>	Letter from Gus. C. Lainas (NRC) to J. S. Charnley (General Electric Co.), dated March 22, 1986 ("Acceptance for Referencing of Licensing Topical Report NEDE-24011-P-A, 'GE Generic Licensing Reload Report,' Supplement to Amendment 11."

Party Exh. #	Witness/ Panel	Description
NRC Staff 19	Ennis, <i>et al.</i>	Letter from R. M. Krich, Exelon Generation Co., LLC, to NRC, "Additional Testing Information Supporting the License Amendment Request to Permit Up-rated Power Operation at Dresden Nuclear Power Station and Quad Cities Nuclear Power Station," RS-01-104 (May 18, 2001).
NRC Staff 20	Ennis, <i>et al.</i>	"Safety Evaluation by the Office of [NRR] Related to Amendment No. 191 to Facility Operating License No. DPR-19, and Amendment No. 185 to Facility Operating License No. DPR-25, Exelon Generation Company, LLC, Dresden Nuclear Power Station Units 2 and 3, Dockets No. 50-237 and 50-249" [December 21, 2001] (partial document).
NRC Staff 21 (Withdrawn)		PROPRIETARY – GE Nuclear Energy,, GE-NE-0000-0041-1254-R0, DRF 0000-0038-3078, Class III (July 2005), "ODYN Benchmark of the Dresden 3 January 30, 2004 Turbine Trip Event." Entergy Exhibit 33.
NRC Staff 22 - 30 (Withdrawn)		Nine documents related to NEC Contention 4, which was later withdrawn by the New England Coalition.
NRC Staff 31 (Pending)	Ennis, <i>et al.</i>	Letter from Darrell G. Eisenhut (NRC) to All Holders of Construction Permits and Operating Licenses for Boiling Water Reactors, Generic Letter 80-91 (November 4, 1980). (A Licensing Board ruling on this document's admissibility is pending.)
NRC Staff 32 (Pending)	Ennis, <i>et al.</i>	Letter from Darrell G. Eisenhut (NRC) to All Holders of Construction Permits and Operating Licenses for Boiling Water Reactors: "ODYN Code Generic Letter 81-08" (January 29, 1981). (A Licensing Board ruling on this document's admissibility is pending.)

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))	

CERTIFICATE OF SERVICE

I hereby certify that copies of the "NRC STAFF'S EXHIBIT LIST" dated September 6, 2006, in the above-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 6th day of September, 2006.

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

Marcia Carpentier, Esq.**
Law Clerk
Atomic Safety and Licensing Board Panel
Mail Stop: T-3F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
(E-mail: MXC7@nrc.gov)

Terence A. Burke**
Associate General Counsel
Entergy Services, Inc.
1340 Echelon parkway
Jackson, MS 39213
E-mail: tburke@entergy.com

Raymond Shadis**
Staff Technical Advisor
New England Coalition
P.O. Box 98
Edgecomb, ME 04556
E-mail: shadis@prexar.com, shadis@ime.net

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, and
matias.travieso-diaz@pillsburylaw.com

John M. Fulton, Esq.
Assistant General Counsel
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

/RA/

Sherwin E. Turk
Counsel for NRC Staff