

RELATED CORRESPONDENCE

DOCKETED
USNRC

UNITED STATES
NUCLEAR REGULATORY COMMISSION

October 24, 2006 (7:46am)

Before the Atomic Safety and Licensing Board

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

In the matter of

ENERGY NUCLEAR VERMONT YANKEE, LLC)	Docket No. 50-271-LR
and ENTERY NUCLEAR OPERATIONS, INC.)	ASLB No.06-849-03-LR
Vermont Yankee Nuclear Power Station)	
License Renewal Application)	

**NEW ENGLAND COALITION, INC.'S (NEC) INITIAL
DISCLOSURE PURSUANT TO 10 C.F.R. § 2.336**

Pursuant to 10 C.F.R. § 2.336 and the Board's Memorandum and Order dated September 22, 2006, New England Coalition, Inc. (NEC) hereby makes the following initial disclosure. This disclosure is based on information currently available to NEC and will be supplemented as appropriate.¹

I. Witnesses

NEC may rely upon the following persons as witnesses:

A. Dr. Ross Jones
Environmental Studies Program
Dartmouth College
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Hanover, NH 03755
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B. Dr. Joram Hopenfeld
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II. Documents

¹ NEC's initial disclosure does not include information concerning a few documents in the custody of Raymond Shadis, NEC Staff Technical Advisor, which NEC's counsel has not yet received. NEC will file a supplemental disclosure of this information as soon as possible.

Documents relevant to NEC's admitted contentions are as follows. NEC does not separately list, but incorporates by reference, all documents filed in this docket and in the Vermont Yankee EPU docket.

A. Documents relevant to Contention 1

Treatise

Jacobson, P.A., D.A. Dixon, W.C. Leggett, B.C. Marcy, Jr., and R.R. Massengill, eds., 2004. *The Connecticut River Ecological Study (1967-1973) Revisited: Ecology of the Lower Connecticut River 1973-2003*. American Fisheries Society, Monograph 9, Bethesda, Maryland.

Articles from above Treatise

Gephard, S. and J. McMenemy. 2004. "An Overview of the Program to Restore Atlantic Salmon and Other Diadromous Fishes to the Connecticut River with Notes on the Current Status of these Species in the River." Pages 287 – 317 in Jacobson, P.A., D.A. Dixon, W.C. Leggett, B.C. Marcy, Jr., and R.R. Massengill, eds., 2004. *The Connecticut River Ecological Study (1967-1973) Revisited: Ecology of the Lower Connecticut River 1973-2003*. American Fisheries Society, Monograph 9, Bethesda, Maryland.

Jacobs, R.P., W.A. Hyatt, N.T. Hagstrom, E.B. O'Donnell, E.C. Schluntz, P. Howell, and D.R. Molnar. 2004. "Trends in Abundance, Distribution, and Growth of Freshwater Fishes from the Connecticut River in Connecticut (1988-2002)." Pages 319 – 343 in Jacobson, P.A., D.A. Dixon, W.C. Leggett, B.C. Marcy, Jr., and R.R. Massengill, eds., 2004. *The Connecticut River Ecological Study (1967-1973) Revisited: Ecology of the Lower Connecticut River 1973-2003*. American Fisheries Society, Monograph 9, Bethesda, Maryland.

Leggett, W.C. 2004. "The American Shad, with Special Reference to Its Migration and Population Dynamics in the Connecticut River." Pages 181-238 in Jacobson, P.A., D.A. Dixon, W.C. Leggett, B.C. Marcy, Jr., and R.R. Massengill, eds., 2004. *The Connecticut River Ecological Study (1967-1973) Revisited: Ecology of the Lower Connecticut River 1973-2003*. American Fisheries Society, Monograph 9, Bethesda, Maryland. Originally published in 1976.

Leggett, W.C., T.F. Savoy, and C.A. Tomich. 2004. "The Impact of Enhancement Initiatives on the Structure and Dynamics of the Connecticut River Population of American Shad." Pages 391-405 in Jacobson, P.A., D.A. Dixon, W.C. Leggett, B.C. Marcy, Jr., and R.R. Massengill, eds., 2004. *The Connecticut River Ecological Study (1967-1973) Revisited: Ecology of the Lower Connecticut River 1973-2003*. American Fisheries Society, Monograph 9, Bethesda, Maryland.

Marcy, Jr., B.C. 2004. "Early Life History Studies of American Shad in the Lower Connecticut River and the Effects of the Connecticut Yankee Plant." Pages 155-180 in Jacobson, P.A., D.A. Dixon, W.C. Leggett, B.C. Marcy, Jr., and R.R. Massengill, eds., 2004. *The Connecticut River Ecological Study (1967-1973) Revisited: Ecology of the Lower Connecticut River 1973-2003*. American Fisheries Society, Monograph 9, Bethesda, Maryland. Originally published in 1976.

Savoy, T.F. and V.A. Crecco. 2004. "Factors Affecting the Recent Decline of Blueback Herring and American Shad in the Connecticut River." Pages 361-377 in Jacobson, P.A., D.A. Dixon, W.C. Leggett, B.C. Marcy, Jr., and R.R. Massengill, eds., 2004. *The Connecticut River Ecological Study (1967-1973) Revisited: Ecology of the Lower Connecticut River 1973-2003*. American Fisheries Society, Monograph 9, Bethesda, Maryland.

Savoy, T.F., V.A. Crecco, and B.C. Marcy, Jr. 2004. "American Shad Early Life History and Recruitment in the Connecticut River: A 40-Year Summary." Pages in 407-417 in Jacobson, P.A., D.A. Dixon, W.C. Leggett, B.C. Marcy, Jr., and R.R. Massengill, eds., 2004. *The Connecticut River Ecological Study (1967-1973) Revisited: Ecology of the Lower Connecticut River 1973-2003*. American Fisheries Society, Monograph 9, Bethesda, Maryland.

Peer Reviewed Journal Articles

Castro-Santos, T. and A. Haro. 2003. "Quantifying migratory delay: a new application of survival analysis methods." *Can. J. Fish. Aquat. Sci.* 60: 986-996.

Dembski, S., G. Masson, D. Monnier, P. Wagner, and J.C. Pihan. 2006. "Consequences of elevated temperatures on life-history traits of an introduced fish, pumpkinseed *Lepomis gibbosus*." *Journal of Fish Biology*, 69: 331-346.

Haro, A., T. Castro-Santos, J. Noreika, and M. Odeh. 2004. "Swimming performance of upstream migrant fishes in open-channel flow: a new approach to predicting passage through velocity barriers." *Can. J. Fish. Aquat. Sci.* 61: 1590-1601.

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Leonard, J.B.K. and S.D. McCormick. 1999. "Effects of migration distance on whole-body and tissue-specific energy use in American shad (*Alosa sapidissima*)." *Can. J. Fish. Aquat. Sci.* 56: 1159-1171.

Leonard, J.B.K., J.F. Norieka, B. Kynard, and S.D. McCormick. 1999. "Metabolic rates in an anadromous clupeid, the American shad (*Alosa sapidissima*)." *J. Comp Physiol B* 169: 287-295.

Limburg, K.E. 1996. "Modeling the Ecological Constraints on Growth and Movement of Juvenile American Shad (*Alosa sapidissima*) in the Hudson River Estuary." *Estuaries*, 9(4): 794-813.

McLain, D.C. and M.R. Ross. 2005. "Reproduction based on local patch size of *Alasmidonta heterodon* and dispersal by its darter host in the Mill River, Massachusetts, USA." *J. N. Am. Benthol. Soc.* 24(1): 139-147.

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Quinn, T.P. and D.J. Adams. 1996. "Environmental Changes Affecting the Migratory Timing of American Shad and Sockeye Salmon." *Ecology*, 77(4): 1151-1162.

Rand, P.S. and S.G. Hinch. 1998. "Swim speeds and energy use of upriver-migrating sockeye salmon (*Oncorhynchus nerka*): simulating metabolic power and assessing risk of energy depletion." *Can. J. Fish. Aquat. Sci.* 55: 1832-1841.

Rand, P.S., S.G. Hinch, J. Morrison, M.G.G. Foreman, M.J. MacNutt, J.S. MacDonald, M.C. Healey, A.P. Farrell, and D.A. Higgs. 2006. "Effects of River Discharge, Temperature, and Future Climates on Energetics and Mortality of Adult Migrating Fraser River Sockeye Salmon." *Transaction of the American Fisheries Society*, 135: 655-667.

Zydlewski, J. and S. D. McCormick. 1997. "The loss of hyperosmoregulatory ability in migrating juvenile shad, *Alosa sapidissima*." *Can. J. Fish. Aquat. Sci.*, 54: 2377-2387.

Zydlewski, J. S.D. McCormick, and J.G. Kunkel. 2003. "Late migration and seawater entry is physiologically disadvantageous for American shad juveniles." *Journal of Fish Biology*, 63: 1521-1537.

Thesis and Dissertations

Sullivan, T.J. 2004. Evaluation of the Turners Falls Fishway Complex and Potential Improvements for Passing Adult American Shad. Master of Science thesis, Department of Wildlife and Fisheries Conservation, University of Massachusetts, Amherst (February 2004).

Government Scientific Reports

Weiss-Glanz, L.S., J.G. Stanley, and J.R. Moring. 1986. Species Profiles: Life Histories and Environmental Requirements of Coastal Fishes and Invertebrates (North Atlantic): American Shad, U.S. Fish and Wildlife Service Biological Report 82 (11.59), July 1986.

Moser, G.A. 1993. Dwarf Wedge Mussel (*Alasmidonta heterodon*): Recovery Plan. Region Five, U.S. Fish and Wildlife Service, Hadley, MA. available at: <<http://nyfo.fws.gov/es/dwm.pdf>>

Reports on Vermont Yankee prepared by or for Entergy

316 Demonstration for Vermont Yankee Nuclear Power Station (Environmental Impact Assessment). 1978. Prepared by Aquatec Inc., Environmental Services.

Downey, P.C., R.C. Binkerd, and D.J. Marx. 1990. 316 Demonstration for Vermont Yankee Nuclear Power Station. Biological, Hydrological, & Engineering Information and Environmental Impact Assessment.

Normandeau Associates, Inc. 2004. §316(a) Demonstration in Support of a Request for Increased Discharge Temperature Limits at Vermont Yankee Nuclear Power Station During May Through October. R-19585.004, April 2004.

Swanson, C., H-S. Kim, S. Subbayya, P. Hall and J. Patel. 2004. Hydrothermal Modeling of the Cooling Water Discharge from the Vermont Yankee Power Plant to the Connecticut River. ASA Report 02-088, April 2004 (Revision). Prepared for Normandeau Associates as Appendix 3 to their report: §316(a) Demonstration in Support of a Request for Increased Discharge Temperature Limits at Vermont Yankee Nuclear Power Station During May Through October.

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Third-party Review of Entergy Nuclear Vermont Yankee's §316 (a) Demonstration. May 9, 2003. Prepared by Versar, Inc.

Data concerning Vermont Yankee collected by or for Entergy

Normandeau Associates, Adult American Shad Hourly Count Data and the Corresponding Hourly Water Temperature Data for the Vernon Dam Fishway on the Connecticut River, 1991-2001. March 2004.

Government Data

Connecticut River migratory fish counts, 1967 – 2005. Connecticut River Coordinator's Office, U.S. Fish and Wildlife Service. available at <http://www.fws.gov/r5crc/Fish/hist.html>>

B. Documents Relevant to Contentions 2-4

Atikson J. D. et. al. "Modeling of Corrosion fatigue crack growth plateaux for RPV steels in high temperature water." *Nuclear Engineering and Design*, 184 (1998), pages 13-2225.

Chen, Y.Y. et.al. "Factors Affecting the Crack Growth Rates of Reactor Pressure Vessel Steels Under Simulated Boiling Water Reactor Conditions." *Corrosion*, Vol. 62, May 2006, No 5, pages 403-417.

Chopra, O. K. and Shack, W. J. "Low-Cycle fatigue of piping and pressure vessel steels in LWR environments." *Nuclear Engineering and Design*. 1184 (1998), pages 449-76.

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Hirano, A. et. al. "Effects of Water Flow Rate on Fatigue Life of Carbon Steel in Simulated LWR environment Under Low Strain Rate Conditions." *Journal of Pressure Vessel Technology*, Vol. 125, Feb 2003, pages 52-58.

Kaainins A. and Dowling N. "Design Criterion of Fatigue Analysis on Plastic Basis by ASME Boiler and Pressure Vessel Code." *Journal of Pressure Vessel Technology*, Nov. 2004 Vol. 1226, pages 461-465.

Kim, J.G. et.al. "Effects of Flow Velocity, pH, and Temperature on Galvanic Corrosion in Alkaline Chloride Solutions." *Corrosion*, Vol. 59, No. 2, pages 121- 125.

Kim, Y. J. "Electrochemical Mitigation of Intergranular Stress Corrosion Cracking in Boiling Water Reactors." *Corrosion*, Vol. 61, No. 9 Sept 2005, pages 889-894.

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Liepmann, H.W. and A. Roshko. *Elements of Gasdynamics*. John Wiley & Sons, Inc 1963, pages 65- 69.

Lin, C.K. et. al. "Corrosion Fatigue of Precipitation-Hardening Martensitic Stainless Steel." *Corrosion* Vol. 58 No. 11, pages-904- 911.

Longatte, E. et. al. "Application of Arbitrary Lagrange Euler Formulation to Flo – Induced Vibration Problems." *Journal of Pressure Vessel Technology*, Nov. 2003, Vol. 1225, pages 411-412.

Remy, F.N. and Bouchacourt, M. "Flow-assisted corrosion: a method to avoid damage." *Nuclear Engineering and Design*, 133(1992) 23-30.

Schlichting, H. *Boundary Layer Theory*. McGraw – Hill, 1960, pages 493-531.

Shanely, F. R. *Strength of Materials*. McGraw-Hill Book Company, Inc 1957, Chapter 27.

Simonen, F.A. and Gosseelin, S.R. "Life Prediction and Monitoring of Nuclear Power Plant Components for Service Related Degradation." *Journal of Vessel Pressure Technology*, Vol. 123, Feb. 2001, pages 58-64.

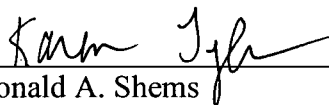
Wang, S. et. al. "Initiation of Environmentally Assisted Cracking in High Temperature." *Corrosion*, Vol. 61, Feb. 2005 No 2, pages 137- 144.

Wire, G. and Mills, W. "Fatigue Crack Propagation Rates for Notched 304 Stainless Specimens in Elevated Temperature Water." *Journal of Pressure Vessel Technology*, Vol. 1226, Aug. 2004, pages 318-472.

October 23, 2006

New England Coalition

by:



Ronald A. Shems

Karen Tyler

SHEMS DUNKIEL KASSEL & SAUNDERS PLLC

For the firm

Attorneys for NEC

NEC Privilege Log

Document Number	Document Description/Title	Date	Author Name	Title	Job assignment	Email Recipients	Email attachment	Attorney Client Privilege	Work Product Privilege
JH-1	Email re: Licensing Board Order - Vermont Yankee License Renewal	10/12/2006	Hopenfeld, Joram	PhD	Expert witness for NEC	Karen Tyler, Raymond Shadis	Expert input to attorney work product.	Yes	Yes
JH-2	Email re: Reply and References	10/11/2006	Hopenfeld, Joram	PhD	Expert witness for NEC	Karen Tyler	None	Yes	Yes
JH-3	Email re: opposition to cont. 3 reconsideration	10/10/2006	Hopenfeld, Joram	PhD	Expert witness for NEC	Karen Tyler	None	Yes	Yes
JH-4	Email re: Reply and References	10/9/2006	Hopenfeld, Joram	PhD	Expert witness for NEC	Karen Tyler, Raymond Shadis	Expert input to attorney work product.	Yes	Yes
JH-5	Email re: Comments on Entergy Motion to dismiss and list of references	10/9/2006	Hopenfeld, Joram	PhD	Expert witness for NEC	Karen Tyler, Raymond Shadis	Expert input to attorney work product.	Yes	Yes
JH-6	Email re: Amendments regarding CUFs	8/4/2006	Hopenfeld, Joram	PhD	Expert witness for NEC	Karen Tyler	None	Yes	Yes
JH-7	Email re: Comments on ENVY's Response	6/28/2006	Hopenfeld, Joram	PhD	Expert witness for NEC	Karen Tyler	None	Yes	Yes
JH-8	Email re: Comments on ENVY's Response	6/27/2006	Hopenfeld, Joram	PhD	Expert witness for NEC	Karen Tyler	Expert input to attorney work product.	Yes	Yes
JH-9	Email re: Comments on ENVY's Response	6/25/2006	Hopenfeld, Joram	PhD	Expert witness for NEC	Karen Tyler, Raymond Shadis	Expert input to attorney work product.	Yes	Yes
RJ-1	Email re: Licensing Board Order - Vermont Yankee License Renewal	10/17/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems, Karen Tyler	None	Yes	Yes
RJ-2	Email re: Licensing Board Order - Vermont Yankee License Renewal	10/17/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	None	Yes	Yes
RJ-3	Email re: Licensing Board Order - Vermont Yankee License Renewal	10/17/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	None	Yes	Yes
RJ-4	Email re: Licensing Board Order - Vermont Yankee License Renewal	10/17/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems, Karen Tyler	Rjones-VYreferences.doc	Yes	Yes
RJ-5	Email re: Licensing Board Order - Vermont Yankee	10/12/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	None	Yes	Yes

NEC Privilege Log

Document Number	Document Description/Title	Date	Author Name	Title	Job assignment	Email Recipients	Email attachment	Attorney Client Privilege	Work Product Privilege
	License Renewal								
RJ-6	Email re: Licensing Board Order - Vermont Yankee License Renewal	10/11/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	None	Yes	Yes
RJ-7	Email re: experts	9/27/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems, Karen Tyler	None	Yes	Yes
RJ-8	Email re: Licensing Board Memorandum and Order - Vermont Yankee License Renewal Proceeding	9/22/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	None	Yes	Yes
RJ-9	Email re: Quick question	8/24/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	None	Yes	Yes
RJ-10	Email re: Quick question	8/24/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	None	Yes	Yes
RJ-11	Email re: Entergy Nuclear Vermont Yankee, LLC, and Entergy Nuclear Operations, Inc.	7/29/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	Appendix E to Entergy Application	Yes	Yes
RJ-12	Email re: Entergy Nuclear Vermont Yankee, LLC, and Entergy Nuclear Operations, Inc.	7/29/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	None	Yes	Yes
RJ-13	Email re: Licensing Board Order Vermont Yankee License Renewal Proceeding	7/25/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	None	Yes	Yes
RJ-14	Email re: Licensing Board Order Vermont Yankee License Renewal Proceeding	7/25/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	USF&W letter 3-06 re VY.doc	Yes	Yes
RJ-15	Email re: Licensing Board Order Vermont Yankee License Renewal Proceeding	7/25/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	FactSheet.3-1199.2006.03.pdf; Permit.3-1199.2006.03.30.pdf	Yes	Yes
RJ-16	Email re: Licensing Board Order Vermont Yankee License Renewal Proceeding	7/25/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	Expert input to attorney work product; APPENDIX C.doc; Appendix Cover.doc;	Yes	Yes

NEC Privilege Log

Document Number	Document Description/Title	Date	Author Name	Title	Job assignment	Email Recipients	Email attachment	Attorney Client Privilege	Work Product Privilege
							Appendix B.doc; Appendix A.doc; ShadDecline (Vernon-Turner).doc		
RJ-17	Email re: Licensing Board Order Vermont Yankee License Renewal Proceeding	7/25/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	None	Yes	Yes
RJ-18	Email re: Licensing Board Order Vermont Yankee License Renewal Proceeding	7/25/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	None	Yes	Yes
RJ-19	Email re: Licensing Board Order Vermont Yankee License Renewal Proceeding	7/24/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	None	Yes	Yes
RJ-20	Email re: Licensing Board Order Vermont Yankee License Renewal Proceeding	7/19/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	None	Yes	Yes
RJ-21	Email re: Licensing Board Order Vermont Yankee License Renewal Proceeding	7/19/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	None	Yes	Yes
RJ-22	Email re: Water Contention reply2.doc	6/29/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	Expert input to attorney work product.	Yes	Yes
RJ-23	Email re: Water Contention reply.doc	6/29/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	None	Yes	Yes
RJ-24	Email re: Water Contention reply.doc	6/29/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	None	Yes	Yes
RJ-25	Email re: Water Contention reply.doc	6/29/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	Expert input to attorney work product.	Yes	Yes
RJ-26	Email re: Water Contention reply.doc	6/29/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	None	Yes	Yes
RJ-27	Email re: Water Contention reply.doc	6/28/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	Expert input to attorney work product.	Yes	Yes
RJ-28	Email re: Water Contention reply.doc	6/28/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	Expert input to attorney work product.	Yes	Yes

NEC Privilege Log

Document Number	Document Description/Title	Date	Author Name	Title	Job assignment	Email Recipients	Email attachment	Attorney Client Privilege	Work Product Privilege
RJ-29	Email re: NEC/Biology Report - Invoice	6/27/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	None	Yes	Yes
RJ-30	Email re: NEC/Biology Report - Invoice	6/23/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	None	Yes	Yes
RJ-31	Email re: NEC/Biology Report - Invoice	6/23/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	None	Yes	Yes
RJ-32	Email re: VY Hearing	6/16/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	None	Yes	Yes
RJ-33	Email re: VY Hearing	6/16/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	None	Yes	Yes
RJ-34	Email re: NEC/Biology Report - Invoice	5/25/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	Invoice-Rjones(052506).rtf	Yes	Yes
RJ-35	Email re: NEC-Memo(rjones)-final	5/24/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	None	Yes	Yes
RJ-36	Email re: NEC-Memo(rjones)-final	5/24/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	Jones Declaration	Yes	Yes
RJ-37	Email re: NEC-memo(rjones)-Ver4.doc	5/24/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	None	Yes	Yes
RJ-38	Email re: NEC-memo(rjones)-Ver4.doc	5/24/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	None	Yes	Yes
RJ-39	Email re: NEC-memo(rjones)-Ver4.doc	5/24/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems, David Mears; P. Parenteau	Expert input to attorney work product.	Yes	Yes
RJ-40	Email re: NEC/Vermont Yankee - updated biological report	5/24/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems, David Mears; P. Parenteau	Expert input to attorney work product.	Yes	Yes
RJ-41	Email re: NEC/Vermont Yankee - updated biological report	5/24/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems, David Mears; P. Parenteau	Expert input to attorney work product.	Yes	Yes
RJ-42	Email re: NEC/Vermont Yankee - biological report	5/23/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems, David Mears; P. Parenteau	None	Yes	Yes
RJ-43	Email re: NEC/Vermont Yankee - biological report	5/23/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems, David Mears; P. Parenteau	Expert input to attorney work product.	Yes	Yes
RJ-44	Email re: NEC/Vermont	5/23/2006	Jones, Ross	PhD	Expert witness	Ronald Shems	None	Yes	Yes

NEC Privilege Log

Document Number	Document Description/Title	Date	Author Name	Title	Job assignment	Email Recipients	Email attachment	Attorney Client Privilege	Work Product Privilege
	Yankee - biological report				for NEC				
RJ-45	Email re: NEC/Vermont Yankee - biological report	5/23/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	None	Yes	Yes
RJ-46	Email re: Environmental Report Attachment	5/21/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	None	Yes	Yes
RJ-47	Email re: Water Contention reply2.doc	6/29/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	Expert input to attorney work product.	Yes	Yes
RJ-48	Email re: Vermont Yankee/NEC - biology	6/28/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	None	Yes	Yes
RJ-49	Email re: Vermont Yankee Affidavit	6/27/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	None	Yes	Yes
RJ-50	Email re: Vermont Yankee/NEC - biology	6/28/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	None	Yes	Yes
RJ-51	Email re: chemical engineer	9/20/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems	None	Yes	Yes
RJ-52	Email re: Water Contention reply3.doc	6/29/2006	Jones, Ross	PhD	Expert witness for NEC	Ronald Shems, Karen Tyler, Raymond Shadis	Expert input to attorney work product.	Yes	Yes

UNITED STATES
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

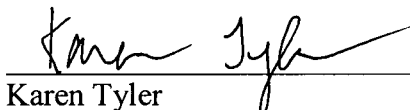
In the matter of)
ENTERGY NUCLEAR VERMONT YANKEE, LLC) Docket No. 50-271-LR
and ENTERGY NUCLEAR OPERATIONS, INC.) ASLB No.06-849-03-LR
Vermont Yankee Nuclear Power Station)

DECLARATION OF KAREN TYLER

I, Karen Tyler, being properly sworn, state the following to the best of my personal knowledge:

1. New England Coalition, Inc.'s (NEC) Initial Disclosure Pursuant to 10 C.F.R. § 2.336 includes all relevant materials required by that rule, with the exception of information concerning a few documents in the custody of Raymond Shadis, NEC Staff Technical Advisor, which NEC's counsel has not yet received. NEC will file a supplemental disclosure including this information as soon as possible. With this exception, NEC's disclosures are accurate and complete as of October 23, 2006.

DATED at Burlington, Vermont this 23rd day of October, 2006

by: 
Karen Tyler

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

Before the Atomic Safety and Licensing Board

In the Matter of)	
)	
Entergy Nuclear Vermont Yankee, LLC)	Docket No. 50-271-LR
and Entergy Nuclear Operations, Inc.)	ASLBP No. 06-849-03-LR
)	
(Vermont Yankee Nuclear Power Station))	

CERTIFICATE OF SERVICE

I, Karen Tyler, hereby certify that copies of the NEW ENGLAND COALITION, INC'S (NEC) INITIAL DISCLOSURE PURSUANT TO 10 C.F.R. § 2.336 in the above-captioned proceeding were served on the persons listed below, by U.S. Mail, first class, postage prepaid; by Fed Ex overnight to Judge Elleman; and, where indicated by an e-mail address below, by electronic mail, on the 23rd day of October, 2006.

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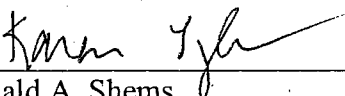
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October 23, 2006

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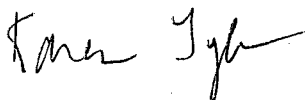
Re: In the Matter of Energy Nuclear Vermont Yankee, LLC and Entergy
Nuclear Operations, Inc. (Vermont Yankee Nuclear Power Station),
Docket No. 50-271-LR, ASLBP No. 06-849-03-LR

Dear Sir or Madam:

Please find enclosed for filing in the above-stated matter New England Coalition,
Inc.'s Initial Disclosure Pursuant to 10 C.F.R. § 2.336.

Thank you for your attention to this matter.

Sincerely,



Karen Tyler
SHEMS DUNKIEL KASSEL & SAUNDERS PLLC

Cc: attached service list
Enclosures (3)