

March 1, 2007

Administrative Judge
Alex S. Karlin, Chairman
Atomic Safety and Licensing Board Panel
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Dr. Thomas S. Elleman
Atomic Safety and Licensing Board Panel
5207 Creedmoor Road, #101
Raleigh, NC 27612
Washington, DC 20555-0001

Administrative Judge
Dr. Richard E. Wardwell
Atomic Safety and Licensing Board Panel
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

In the Matter of
ENTERGY NUCLEAR OPERATIONS, INC.
(Vermont Yankee Nuclear Power Station)
Docket No. 50-271-LR; ASLBP No. 06-849-03-LR

Dear Administrative Judges:

The NRC Staff hereby provides its monthly status report and notice that it has updated the hearing file for this proceeding pursuant to 10 C.F.R. § 2.336(d). An index containing the ADAMS accession number, date, and title or description of each item in the hearing file is appended hereto as Attachment 1. The Staff is also producing, as Attachment 2, updates to its privilege logs as required by 10 C.F.R. § 2.336(b)(5), and is continuing to preserve and maintain all privileged documents during the pendency of this proceeding. Also attached are the Affidavit of Jonathan G. Rowley, as required by 10 C.F.R. § 2.336(c), and the Declaration of Pao-Tsin Kuo, Director of the Division of License Renewal, formally invoking the deliberative process privilege.

Please note that the Plant License Renewal Subcommittee of the Advisory Committee on Reactor Safeguards has rescheduled its Vermont Yankee meeting from May 2, 2007 to June 5, 2007. The full committee meeting remains tentatively scheduled for September 2007. There have been no changes to the Staff's schedule for the issuance of its Safety Evaluation Report and Final Supplemental Environmental Impact Statement.

Sincerely,

/RA/

Steven C. Hamrick
Counsel for NRC Staff

Enclosures: Hearing File Index
Privilege Log - Deliberative Process
Affidavit of Jonathan G. Rowley
Declaration of Pao-Tsin Kuo

cc: Service List

ATTACHMENT 1

**VERMONT YANKEE LICENSE RENEWAL HEARING FILE AND MANDATORY DISCLOSURES
HEARING FILE INDEX
Supplement 4– March 1, 2007**

ID #	Accession Number	Document Date	Title/Description:
04-01	ML070570291	1/11/2006	AMRM-20, Rev. 0, "Aging Management Review of Primary Containment Penetrations."
04-02	ML070570302	1/11/2006	AMRM-26, Rev. 0, "Aging Management Review of the Main Condenser and MSIV Leakage Pathway."
04-03	ML070570310	1/19/2006	AMRC-01, Rev. 0, "Aging Management Review of Primary Containment."
04-04	ML070570319	1/25/2006	AMRM-31, Rev. 0, "Aging Management Review of the Reactor Pressure Vessel."
04-05	ML070570329	1/25/2006	AMRM-32, Rev. 0, "Vermont Yankee NPS Aging Management Review of the Reactor Vessel Internals."
04-06	ML070570335	1/25/2006	AMRM-33, Rev. 0, "Aging Management Review of the Reactor Coolant System Pressure Boundary."
04-07	ML070580236	1/25/2006	LRPD-03, Rev. 0, "TLAA Exemption Evaluation Results."
04-08	ML070580251	1/25/2006	LRPD-06, Rev. 0, Aging Management Review Summary.
04-09	ML070580243	1/25/2006	Verification of VYNPS License Renewal Project Report, LRPD-04, Rev. 0, TLAA - Mechanical Fatigue.
04-10	ML070570254	4/11/2006	AMRM-08, Rev. 1, "Aging Management Review of Primary Containment Atmosphere Control and Containment Atmosphere Dilution Systems."
04-11	ML070570237	5/9/2006	FAC Program, EN-DC-315, Rev. 0, 05000271-07-006.
04-12	ML070440488	5/9/2006	LRPD-02, Revision 2, "Aging Management Program Evaluation Results."
04-13	ML070440451	5/11/2006	AMRM-02, Revision 1, "Aging Management Review of RHR System."

ID #	Accession Number	Document Date	Title/Description:
04-14	ML070440486	5/11/2006	AMRM-30, Rev. 01, Aging Management Review of NS Systems Affecting Safety Systems.
04-15	ML070440474	5/12/2006	AMRM-12, Aging Management Review of the Reactor Building Closed Cooling Water System.
04-16	ML070440478	5/12/2006	AMRM-15, Aging Management Review of the Fuel Oil System.
04-17	ML070440483	5/12/2006	AMRM-15, Revision 0, "Aging Management Review of the Fuel Oil System."
04-18	ML070440485	5/12/2006	AMRM-16, Revision 0, "Aging Management Review of the Instrument Air System."
04-19	ML070530210	1/19/2007	EMAIL: (PA-LR) VY Web References.
04-20	ML070190408	1/19/2007	VYNPS - SEIS Web Reference - New Hampshire Wildlife Plan Appendices.
04-21	ML070190412	1/19/2007	VYNPS - SEIS Web Reference - T&E Species Dwarf Wedge Mussel.
04-22	ML070190415	1/19/2007	VYNPS - SEIS Web Reference - Vermont Wildlife Plan Species Profile.
04-23	ML070530190	1/22/2007	EMAIL: (PA-LR) Radwaste Permits.
04-24	ML070530198	1/23/2007	EMAIL: (PA-LR) RE: Radwaste Permits.
04-25	ML070180561	1/29/2007	Summary of a Telephone Conference Call Held on December 14, 2006, Between the U.S. NRC and Entergy Nuclear Operations, Inc., Concerning Information Pertaining to Vermont Yankee Nuclear Power Station License Renewal Application.
04-26	ML070180534	1/29/2007	Summary of a Telephone Conference Call Held on December 6, 2006, Between the U.S. NRC and Entergy Nuclear Operations, Inc., Concerning Information Pertaining to the Vermont Yankee Nuclear Power Station License Renewal Application.
04-27	ML070530371	1/30/2007	EMAIL: (PA-LR) VYNPS TRM.
04-28	ML070530366	2/1/2007	EMAIL: (PA-LR) VY Eval of Monticello Event.

ID #	Accession Number	Document Date	Title/Description:
04-29	ML070530187	2/2/2007	EMAIL: (PA-LR) Vermont Yankee Hazardous Waste Generation.

ATTACHMENT 2

**VERMONT YANKEE LICENSE RENEWAL HEARING FILE AND MANDATORY DISCLOSURES
PRIVILEGE LOG - DELIBERATIVE PROCESS PRIVILEGE
Supplement 4 – March 1, 2007**

Certain documents otherwise subject to inclusion in the hearing file and mandatory disclosures for this proceeding have been determined by the NRC Staff to contain information subject to withholding from public disclosure as predecisional, deliberative information. Pursuant to 10 C.F.R. § 2.336(b)(5), the Staff is providing this log to identify the following documents, withheld under the “deliberative process” privilege.

Doc. No.	Accession Number	Author Name/ Affiliation:	Title/Description:	Document Date	Document Type	Addressee / Addressee Affiliation	Comment	Page Count
DP-04-01	ML070530435	Rowley J G, NRC/NRR/ ADRO	EMAIL: (PD-LR) RE: VY license renewal.	1/25/2007	E-Mail	Schoppy J G, NRC/RGN- I/DRS	Discussion of Managing Aging Effects of Service Water System	3
DP-04-02	ML070450008	Schoppy J G, NRC/RGN-I	Email from J. Schoppy to J. Rowley dtd 1/25/07 re: VY License Renewal.	1/25/2007	E-Mail	Rowley J G, NRC/NRR	Discussion of Managing Aging Effects of Service Water System	2
DP-04-03	ML070290440	Mitchell M A, NRC/NRR/ ADES/DCI/ CVIB	Vermont Yankee Nuclear Power Station License Renewal Application - Final Safety Evaluation Report Sections For Time- Limited Aging Analyses (TAC NO. MC9668).	1/26/2007	Final Safety Evaluation Report (FSER), Memoranda	Auluck R C, NRC/NRR/ADR O/DLR/RLRB	Draft Safety Evaluation Input for Time-Limited Aging Analyses	23

Doc. No.	Accession Number	Author Name/ Affiliation:	Title/Description:	Document Date	Document Type	Addressee / Addressee Affiliation	Comment	Page Count
DP-04-04	ML070530416	Morgan M J, NRC/NRR/ ADRO/DLR/ RLRA	EMAIL: (PA-LR) Amendment #14 - and the status of the other amendments.	2/1/2007	E-Mail	Rowley J G, NRC/NRR/ADR O/DLR/RLRA	Draft Version of RAIs Concerning the Reactor Vessel Surveillance Program	7
DP-04-05	ML070530413	Morgan M J, NRC/NRR/ ADRO/DLR	EMAIL: (PA-LR) Amendment 19 - Suggested RAI Write-ups.	2/2/2007	E-Mail	Rowley J G, NRC/NRR/ADR O/DLR	Draft Version of RAIs Concerning the Structures and Component Supports	7
DP-04-06	ML070530426	Morgan M J, NRC/NRR/ ADRO/DLR	EMAIL: (PA-LR) Amendment 22 RAI Question.	2/5/2007	E-Mail	Rowley J G, NRC/NRR/ADR O/DLR	Draft Version of RAIs Concerning the Structures and Component Supports	5
DP-04-07	ML070470195	Thomas B E, NRC/NRO/ DE/SEB1	Input to SER for Section 3.5 "Aging Management of Containments, Sturctures, and Component Supports", Vermont Yankee Nuclear Powerstation LRA.	2/8/2007	Memoranda	Auluck R, NRC/NRR/ADR O/DLR/RLRC	Draft Safety Evaluation Input Concerning Structures and Component Supports	6
DP-04-08	ML070570208	Tift D B, NRC/RGN-I	PD_Email from D. Tift to RJC@nrc.gov dtd 2/15/07 re: VY LR NRR Writeup, 05000271-2007-006	2/15/2007	Memoranda	Conte R J, NRC/RGN-I	Draft Safety Evaluation Input Concerning the Service Water System	8

March 1, 2007

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-LR
LLC, and ENTERGY NUCLEAR)	
OPERATIONS, INC.)	ASLBP No. 06-849-03-LR
)	
(Vermont Yankee Nuclear Power Station))	

AFFIDAVIT OF JONATHAN G. ROWLEY CONCERNING MANDATORY DISCLOSURE
REQUIREMENT OF 10 C.F.R. § 2.336(c)

I, Jonathan G. Rowley, do hereby state as follows:

1. I am employed as a Project Manager in the Division of License Renewal in the Nuclear Regulatory Commission's ("NRC") Office of Nuclear Reactor Regulation. I serve as a project manager for the Vermont Yankee Nuclear Power Station's license renewal application ("LRA").

2. I hereby certify that all relevant materials required to be disclosed pursuant to 10 C.F.R. § 2.336 (b) and (c) in the captioned proceeding have been disclosed, and that the disclosures are accurate and complete as of the date of this certification.

3. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Original Signed By:

Jonathan G. Rowley

Executed in Rockville, MD
this 1st day of March, 2007

March 1, 2007

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-LR
LLC, and ENTERGY NUCLEAR)	
OPERATIONS, INC.)	ASLBP No. 06-849-03-LR
)	
(Vermont Yankee Nuclear Power Station))	

DECLARATION OF PAO-TSIN KUO

I, Pao-Tsin Kuo, do hereby state as follows:

1. I am employed as the Director of the Division of Licensing Renewal (“DLR”) in the Nuclear Regulatory Commission’s (“NRC”) Office of Nuclear Reactor Regulation (“NRR”). My supervisory responsibilities include oversight of the NRC Staff’s review and evaluation of the Vermont Yankee Nuclear Power Station license renewal application.

2. As part of their responsibilities in preparing the hearing file and mandatory disclosures for these proceedings, NRC staff members under my supervision identified several documents as privileged because they contained information concerning the Staff’s deliberative process. Those documents are listed in Attachment 2 to the March 1, 2007 submission of the Staff’s Hearing File.

3. I have personally reviewed the documents identified as privileged in Attachment 2, and have determined, in accordance with the guidance set forth in Management Directive 3.4, that they contain predecisional information concerning the Staff’s review of the license renewal application. All documents contain either the Staff’s analyses, recommendations, opinions, or evaluations, and may not necessarily reflect the final agency position with respect to the matters discussed therein. Each of the documents comprises part of the deliberative process necessary to the Staff’s review of the pending license renewal application.

4. Further, I have determined that disclosure of these documents could result in harm to the agency, in that it would (a) prematurely disclose the preliminary views of individual Staff members and/or the Staff prior to reaching a final agency decision, and could thus create confusion as to the actual policy or views of the NRC Staff; (b) hinder the efficiency of the Staff, in that forced disclosure of its internal discussions on an unresolved issue would tend to chill all future deliberations and would interfere with the Staff's ability to engage in a free exchange of opinions and analyses prior to publishing its final review documents; and (c) imply or suggest incorrectly that the opinions of the Staff members involved in these communications are actually the final decisions of the agency, while no such final decision has yet been made.

5. Accordingly, I formally invoke the deliberative process privilege with respect to each of the documents listed in Attachment 2 to the March 1, 2007 submission of the Staff's Hearing File.

6. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Original Signed By:

Pao-Tsin Kuo

Executed in Rockville, MD
this 1st day of March, 2007

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

CERTIFICATE OF SERVICE

I hereby certify that copies of the NRC Staff letter dated March 1, 2007, providing notice of the availability of the hearing file, with attachments, together with the affidavit of Jonathan G. Rowley and the declaration of Pao-Tsin Kuo in the above-captioned proceeding have been served on the following by electronic mail with copies by deposit in the NRC's internal mail system or, as indicated by an asterisk, by electronic mail with copies by U.S. mail, first class, this 1st day of March 2007.

Administrative Judge
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Administrative Judge
Richard E. Wardwell
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Administrative Judge
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/RA/

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Counsel for NRC Staff