

July 14, 2008 (8:00am)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

July 8, 2008

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))	

JOINT STIPULATION

Pursuant to para. 7 of the Atomic Safety and Licensing Board's ("Board") Initial Scheduling Order dated November 17, 2006, as modified by the Board during the prehearing telephone conference held on June 24, 2008 (Tr. 656-57), Applicants Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. (collectively "Entergy"), the NRC Staff, and intervenor New England Coalition, Inc. ("NEC") hereby agree to stipulate to the following facts.

NEC CONTENTIONS 2A AND 2B

1. Section 4.3.3 of the License Renewal Application for VY ("Application") presents Entergy's initial assessment of the effects of the reactor coolant environment on fatigue life for nine plant-specific locations of six reactor components at VY selected in accordance NUREG/CR-6260 and the NRC Staff's "GALL Report".
2. The initial CUF_{en}s computed by Entergy for VY are tabulated in Table 4.3.3 of the Application. As that Table shows, seven of the nine locations had CUF_{en}s greater than unity, and therefore greater than the specified criterion of the ASME Code.
3. To address these results, the Application states (Application, Section 4.3.3 at 4.3-7) that, prior to entering the period of extended operation, for each location that may exceed a

CUF of 1.0 when considering environmental effects, VY will implement one of three possible courses of action, including “further refinement of the fatigue analyses to lower the predicted CUFs to less than 1.0.”

4. Entergy engaged SIA to perform refined analyses to calculate the CUFs, F_{en} s and CUF_{en} s for all nine locations of interest in accordance with the approach described in the GALL Report.
5. Final versions of fifteen refined calculations were issued in August and December 2007.
6. To resolve certain NRC Staff concerns, Entergy proposed, and the NRC Staff accepted, that Entergy perform a confirmatory CUF_{en} analysis of the feedwater nozzle using methods that would be acceptable to the NRC.
7. The Staff imposed a license condition requiring similar confirmatory analyses for two other nozzles, the recirculation outlet nozzle and the core spray nozzle. Those confirmatory analyses will become the “analyses of record” for those two locations. Entergy is to submit these analyses to the Staff no later than two years prior to the start of the period of extended operation, in March 2012.

NEC CONTENTION 3

8. In 2002, steam dryer cracking and damage to components and supports for the main steam and feedwater lines were observed at the Quad Cities Unit 2 nuclear power plant. Loose parts were shed by the dryer due to metal fatigue failure of the dryer caused by flow-induced vibration.
9. The Quad Cities 2 experience raised a concern that a loss of physical integrity of the dryer could result in the release and migration of loose dryer sections or parts to other components and could thus have adverse impact on safety-related equipment.
10. The existence of cracks on the surface of a steam dryer needs to be identified and evaluated before the cracks progress to the point where they could cause a loss of physical integrity of the dryer, resulting in loose parts.

11. In its License Renewal Application, Entergy addresses aging management of the VY steam dryer as follows:

Cracking due to flow-induced vibration in the stainless steel steam dryers is managed by the BWR Vessel Internals Program. The BWR Vessel Internals Program currently incorporates the guidance of GE-SIL-644, Revision 1. VYNPS will evaluate BWRVIP-139 once it is approved by the staff and either include its recommendations in the VYNPS BWR Vessel Internals Program or inform the staff of VYNPS's exceptions to that document.

License Renewal Application, § 3.1.2.2.11 "Cracking due to Flow-Induced Vibration."

13. GE-SIL-644 recommends that BWR licensees institute a program for the long term monitoring and inspection of their steam dryers. It provides inspection and monitoring guidelines.
14. The monitoring component of the proposed VY steam dryer management program consists of assessing the status of the steam dryer by the plant operators and VY's technical staff through the continuous monitoring of certain plant parameters.
15. With respect to dryer inspections during plant refueling outages, the details of the visual inspection program to be implemented are set forth in the section of GE-SIL-644 devoted to BWR-3 steam dryers, which is Appendix C, pp. 15-16. The dryer inspections are to be performed in accordance with the VY BWRVIP Program Plan, VY-RPT-06-00006 (Exhibit E3-12) and GE-SIL-644, Revision 1.

NEC CONTENTION 4

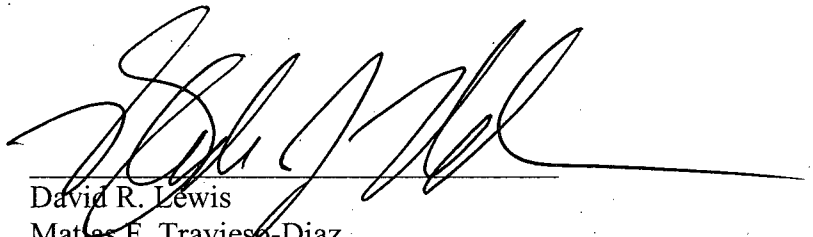
16. The FAC Program that Entergy proposes to implement during the license renewal period includes the following activities: (a) conducting an analysis to determine critical locations; (b) performing baseline inspections to determine the extent of thinning at these

locations; and (c) performing follow-up inspections to confirm the predictions, or repairing or replacing components as necessary.

17. Section B.1.13 of the License Renewal Application for VY ("Application") indicates that the VY program for addressing flow accelerated corrosion ("FAC") of steel piping and components is comparable to the program described in the NRC guidance document "Generic Aging Lessons Learned (GALL) Report -- Tabulation of Results," NUREG-1801, Vol. 2, Rev. 1 (Sep. 2005) ("NUREG-1801"), Section XI.M17, Flow Accelerated Corrosion. Application at B-47.

Entergy has been authorized by the NRC Staff and NEC to submit this Joint Stipulation on its own behalf as well as theirs.

Respectfully Submitted,



David R. Lewis
Matias F. Travieso-Diaz
Blake J. Nelson
PILLSBURY WINTHROP SHAW PITTMAN LLP
2300 N Street, NW
Washington, DC 20037-1122
Tel. (202) 663-8000
Counsel for Entergy

Dated: July 8, 2008

**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 hereby certify that copies of "Joint Stipulation" were served on the persons listed below by deposit in the U.S. Mail, first class, postage prepaid, and where indicated by an asterisk by electronic mail, this 8th day of July, 2008.

*Administrative Judge
Alex S. Karlin, Esq., Chairman
Atomic Safety and Licensing Board
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
ask2@nrc.gov

*Administrative Judge
Dr. Richard E. Wardwell
Atomic Safety and Licensing Board
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
rew@nrc.gov

*Administrative Judge
William H. Reed
1819 Edgewood Lane
Charlottesville, VA 22902
whrcville@embarqmail.com

*Secretary
Att'n: Rulemakings and Adjudications Staff
Mail Stop O-16 C1
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
secy@nrc.gov, hearingdocket@nrc.gov

*Office of Commission Appellate Adjudication
Mail Stop O-16 C1
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
OCAAMail@nrc.gov

Atomic Safety and Licensing Board
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

*Lloyd Subin, Esq.
*Mary Baty, Esq.
* Jessica A. Bielecki, Esq.
*Susan L. Uttal, Esq.
Office of the General Counsel
Mail Stop O-15-D21
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
LBS3@nrc.gov; mcb1@nrc.gov;
jessica.bielecki@nrc.gov; susan.uttal@nrc.gov

*Anthony Z. Roisman, Esq.
National Legal Scholars Law Firm
84 East Thetford Road
Lyme, NH 03768
aroisman@nationallegalscholars.com

*Peter L. Roth, Esq.
Office of the New Hampshire Attorney General
33 Capitol Street
Concord, NH 03301
Peter.roth@doj.nh.gov

*Lauren Bregman, Law Clerk
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Mail Stop: T-3 F23
Washington, D.C. 20555-0001
Lauren.Bregman@nrc.gov

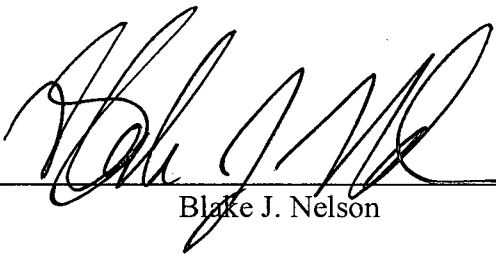
* Matthew Brock
Assistant Attorney General
Office of the Attorney General
One Ashburton Place, 18th Floor
Boston, MA 02108
Matthew.Brock@state.ma.us

*Sarah Hofmann, Esq.
Director of Public Advocacy
Department of Public Service
112 State Street – Drawer 20
Montpelier, VT 05620-2601
Sarah.hofmann@state.vt.us

*Ronald A. Shems, Esq.
*Karen Tyler, Esq.
Shems, Dunkiel, Kassel & Saunders, PLLC
9 College Street
Burlington, VT 05401
rshems@sdkslaw.com
kyler@sdkslaw.com

*Marcia Carpenter, Esq.
Atomic Safety and Licensing Board Panel
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
mxc7@nrc.gov

*Diane Curran, Esq.
Harmon, Curran, Spielberg, & Eisenberg,
L.L.P.
1726 M Street N.W., Suite 600
Washington, D.C. 20036
dcurran@harmoncurran.com



Blake J. Nelson