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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Before the Atomic Safety and Licensing Board

In the Matter of

Entergy Nuclear Vermont Yankee, LLC, and
Entergy Nuclear Operations, Inc.
(Operating License Amendment)
(Vermont Yankee Nuclear Power Station)

Docket No. 50-271
ASLBP No. 04-832-02-OLA

March 20 2006

**NEW ENGLAND COALITION'S UNOPPOSED MOTION FOR
ENLARGEMENT OF TIME TO FILE A REPLY BRIEF**

Pursuant to 10 C.F.R. § 2.323, New England Coalition hereby files this unopposed motion seeking that the Atomic Safety and Licensing Board ("Board") enlarge by three days the time allowed for New England Coalition to file its Brief on the Legal Scope of Contention 4, so that New England Coalition's brief is due on March 20, 2006.

The basis for this motion is as follows. On Friday, March 10, 2006, the Board ordered New England Coalition to file details of its pro se representative's itinerary for July, August, September, and October by Monday, March 14th, a brief on the legal scope of contention 4 by Friday, March 17th, and a brief or statement on the scope of contention 3 by Monday, March 20th. New England Coalition's pro se representative was simply overwhelmed with work involving pre-existing and competing deadlines during the week of March 12th and thus physically unable to complete the brief by close of business on Friday, March 17th. New England Coalition begs the Board to consider that New England Coalition is engaged in three additional Vermont Yankee dockets (two initiated prior to this proceeding) and that, because of financial constraints, it is represented by a single pro se without support staff. This motion seeks that NEC be retroactively granted three additional days, until March 20, 2006, in order to file its brief. Further, New England Coalition respectfully requests that the schedule for answers and reply now also be

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adjusted by three days; thus answers would be due on March 24¹, 2006 and the reply would be due on April 3, 2006.

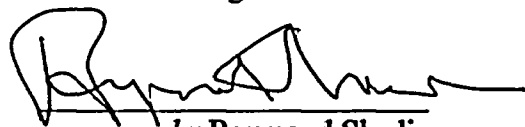
CERIFICATION

Pursuant to 10 C.F.R. § 2.323(b), New England Coalition certifies that it has consulted with counsel for Entergy, the NRC staff, and counsel for the Vermont Department of Public Service ("DPS"). New England Coalition has been advised that Entergy, the NRC staff and the DPS do not object to New England Coalition being granted the relief sought herein, provided that additional time, equal to the granted enlargement, be scheduled for answers and reply.

CONCLUSION

For the reasons stated above, New England Coalition requests that the Board grant it until March 20, 2006 to file its Reply Brief in this matter. New England Coalition sincerely regrets any confusion or inconvenience this inadvertent delay in filing may have caused and will earnestly endeavor to see that such delays are not repeated.

Respectfully submitted,
New England Coalition



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¹ PLEASE NOTE- Since this filing was provided electronically and its mailing, we have been informed that the date March 24 is in error. This is a typographical error and should read: March 27, 2006.

**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the matter of
**ENTERGY NUCLEAR VERMONT YANKEE, LLC
and ENTERGY NUCLEAR OPERATIONS, INC.
(Vermont Yankee Nuclear Power Station)**

March 17, 2006
Docket No. 50-271
ASLBP No. 04-832-02-OLA

**NEW ENGLAND COALITION'S BRIEF
ON THE LEGAL SCOPE OF NEW ENGLAND COALITION CONTENTION 4**

INTRODUCTION

New England Coalition hereby complies with an Atomic Safety and Licensing Board Order (oral) given March 10, 2006 and (written) March 14, 2006 for a brief on the legal scope of New England Coalition's Contention 4. Precisely, the Board's Order states:

[Due] March 17, 2006: NEC Contention 4 alleges that certain deficiencies in the license application render the application "not in conformance with the plant specific original licensing basis and/or 10 C.F.R. Part 50, paragraph I(a) [sic¹] , and/or 10 C.F.R. Part 100, Appendix A." On March 17, 2006, NEC shall submit a statement or brief, not to exceed ten pages, that identifies which of these three legal standards are allegedly not satisfied with regard to each of the deficiencies asserted by NEC. This statement or brief should also specify with more particularity, which provisions of the legal standards are allegedly not satisfied, e.g., which part of Appendix A of Part 100 or which part of the plant specific licensing basis are not met. On that same date, in addition to any other method, this brief shall be served electronically on all parties.

BACKGROUND

On September 21, 2005, New England Coalition submitted Contention 4 as a late filed contention in accordance with all of the pertinent sections of 10 CFR Part 2.

¹ New England Coalition's Contention 4 as submitted and as modified by the ASLBP upon admission actually reads, " 10 CFR Part 50, Appendix S, paragraph I(a)."

Entergy Nuclear Vermont Yankee, L.L.C., and Entergy Nuclear Operations, Inc.

("Entergy") and NRC Staff filed answers on October 31, 2005.

NRC Staff did not oppose admission of the new contention, except "insofar as NEC takes issue with the 'current actual physical condition' of the ACS", which the Staff asserts is "outside the scope of this proceeding²."

New England Coalition filed its reply on October 26, 2005.

On December 2, 2005, the Atomic Safety and Licensing Board Panel ("Board") in this proceeding issued an Order stating that New England Coalition's new contention (as modified) satisfies the requirements of 10 C.F.R. §2.309(c), (f)(1), and (f)(2) and is admitted.

The Board provided a copy of New England Coalition's New Contention 4 (as modified by the Board) in Attachment A to the December 2nd Order, as follows:

The Entergy Vermont Yankee [ENVY] license application (including all supplements) for an extended power uprate of 20% over rated capacity is not in conformance with the plant specific original licensing basis and/or 10 CFR Part 50, Appendix S, paragraph I (a), and/or 10 CFR Part 100, Appendix A, because it does not provide analyses that are adequate, accurate, and complete in all material respects to demonstrate that the Vermont Yankee Nuclear Power Station Alternate Cooling System³ [ACS] in its entirety, in its actual physical condition (or in the actual physical condition ENVY will effectuate prior to commencing operation at EPU), will be able to withstand the effects of an earthquake and other natural phenomena without loss of capability to perform its safety functions in service at the requested increased plant power level.

² See NRC Staff's Answer to Entergy's Motion to Dismiss as Moot, or in the Alternative, for Summary Disposition of New England Coalition Contention 4 (July 25, 2005) at 8.

³ New England Coalition, at several places in its Request for Leave to File New Contention, describes the ACS (Alternate Cooling System), based on the Testimony of its expert, Dr. Ross Landsman, as follows: "The ACS system includes, but is not limited to, towers, fill, structural members and bracing, shear pins and/or tie rods, basins, piping, pumps, valves and controls, fan motors, fan decks and fan gearing, emergency electrical supply, and all components vital to design basis objectives and licensing basis requirements intended to assure operability when the system is called upon in an emergency."

DISCUSSION

The short answer to which of the three legal standards apply is that all three legal standards apply.

Further, as discussed below and in New England Coalition's September 21, 2005, Request For Leave to File a New Contention, legal standards apply that are not enumerated in the text of the contention, but which are included in the bases argued for admittance of the contention.

New England Coalition herein avers that Contention 9, as submitted by New England Coalition and redrawn by the Board, together with the supporting argument in New England Coalition's Request and its Reply to NRC Staff's and Entergy's Responses, is sufficient to meet the legal standard for specificity under NRC's Rules and as established by NRC practice.⁴

However, New England Coalition recognizes that, while it's simple claim that Entergy Nuclear Vermont Yankee (ENVY) has failed to adequately demonstrate that the ACS will be able to withstand the effects of earthquake and other natural phenomena without the loss of capability to perform its safety functions under uprate conditions is clear, precisely which parts

⁴ Pro se ' intervenors are not held in NRC proceedings to a high degree of technical compliance with legal requirements and, accordingly, as long as parties are sufficiently put on notice as to what has to be defended against or opposed, specificity requirements will generally be considered satisfied. However, that is not to suggest that a sound basis for each contention is not required to assure that the proposed issues are proper for adjudication Consolidated Edison Co. of N.Y.(Indian Point, Unit 2) and Power Authority of the State of N.Y. (Indian Point, Unit 3), LBP-83-5, 17 NRC 134,136 (1983).

A basis for a contention is set forth with reasonable specificity if the applicants are sufficiently put on notice so that they will know, at least generally, what they will have to defend against or oppose, and if there has been sufficient foundation assigned to warrant further exploration of the proposed contention.

Kansas Gas & Electric Co. (Wolf Creek Generating Station, Unit -1), LBP-8471, 19 NRC 29, 34 (1984), citing Peach Bottom, supra, 8 AEC at 20-21; Commonwealth Edison Co.(Braidwood Nuclear Power Station, Units 1 and 2), LBP-85-20, 21 NRC 1732, 1742 (1985), rev'd and remanded on other grounds, CLI-86-8, 23 NRC 241 (1986). See Public Service Co; of New Hampshire (Seabrook Station, Units 1 and 2), ALAB-942, 32 NRC 395, 427-28 (1990).

of the applicable standards apply may be more specifically detailed. New England Coalition's explanation follows:

Non-Conformance with Vermont Yankee Licensing Basis - Vermont Yankee Nuclear Power Station was licensed for commercial operation on November 11, 1972, well before 10CFR Part 50, Appendix S or the General Design Criteria were finalized. Its license has since been amended 229 times and it has entered more than that number of Technical Specification Changes and numerous Exemptions and Exceptions.

While the whole licensing and design basis cannot be found or determined from one location, Vermont Yankee has averred that it is in compliance with the Draft General design Criteria (see below) and in some areas it is in compliance with the "final" General Design Criteria⁵.

New England Coalition was unable, while preparing its Request for Leave to File a New Contention to access all licensing and design basis documents relating to seismic and external events qualification of the ACS.

However ENVY has provided some relevant documents, included below, which provide a foundation for understanding the place of the Alternate Cooling System in the licensing and design bases.

First is a definition of the Alternate Cooling System,

⁵ Vermont Yankee has made changes to the facility over the life of the plant that may have invoked the final General Design Criteria as design criteria. Such invocation was not intended to constitute a regulatory commitment, unless specifically docketed as such. Information regarding application of the General Design Criteria can be found elsewhere in the UFSAR and in other design and licensing basis documents. See, Appendix F, VYNPS UFSAR.

A Vermont Yankee Design Basis Document for Service Water Systems, Section 2.2, that was submitted to the NRC as part of the VY EPU hearing process and which is quoted in this Brief on page 5, contains the regulatory requirements applicable to the systems. It includes a discussion of conformance to applicable draft GDCs as well as several of the final GDCs.

...a cooling cell and fan, cooling tower deep water basin, Residual Heat Removal Service Water (RHRSW) pumps and pump motor bearing oil coolers, RHR pump seal, motor coolers, RHR and diesel generator heat exchangers, ECCS Room Coolers (RRUs 7-8), and associated piping valves and instrumentation.

Updated Final Safety Analysis Report, §10.8.3

Second are licensing and design basis references from ENVY Service Water System design basis and requirements contained in Vermont Yankee Document, SWSYS Service Water Systems Revision 0, [Design Basis Document] SWSYS 2000-009 IC5 & SWSYS 2000-032 IC10 at page 6 (see also footnote 5)

5.1.47 and 5.1.52.

The ACS system was originally designed to accommodate an Atomic Energy Commission (AEC) request to mitigate the consequences of a loss of the Vernon Dam resulting in a loss of SW pump suction. On April 12, 1967, in Amendment 3 of the Plant Design Analysis Report (PDAR), the Vernon Dam was analyzed for the maximum 0.14g earthquake and found to be stable. On May 19, 1967, in Amendment 5 of the PDAR, the following information was transmitted to the AEC by VYNPS:

"The loss of water from the Vernon Pond would result in uncovering the station service water pump suction and would preclude the normal functions of the Residual Heat Removal System heat exchangers. Although the dewatering of the Vernon Pond is considered to be a most remote possibility, an alternate means of providing for reactor decay heat removal will be included in the plant design". (Reference 5.6.3)

On July 7, 1967, the AEC Safety Evaluation Report (SER) discussed and further summarized the basis for alternate cooling. It stated, "The station service water intake is at a higher elevation than would exist for the Connecticut River if the Vernon Dam, which is approximately 2500 feet downstream from the site, were to fail. The applicant has responded by assuring us that an alternate scheme for removing decay heat from the Reactor Shutdown Cooling System will be provided (Amendment 5). Our acceptance criteria for this system will include: (1) conformance to Class I design standards, (2) power requirements within the capability of emergency on-site power source, and (3) heat removal capability equivalent to what is provided for shutdown when the normal river water source is available." (Reference 5.6.2)

Operation and/or function is described in the following from VYNPS Updated Final Safety Analysis Report, Revision 18-1: 10.8-6 of 10

Deep Basin - The deep basin beneath the cooling tower unit containing the alternate cooling cell is a reinforced concrete structure constructed on bedrock and conforms to Class I seismic criteria. The approximate inside basin dimensions are 14 feet deep by 40 feet wide by 377 feet in length.

The basin has a storage capacity of approximately 1.48×10^6 gallons, which is greater than Alternate Cooling System losses, which would occur over a one-week period of system operation (for the loss of Vernon Pond scenario). The basin acts as a reservoir of water to replace the evaporative and other losses occurring during system operation. Draining the basin would normally require deliberate manual actions be taken; this provides further assurance that the basin will always remain full until the Alternate Cooling System is placed into operation. When the SW discharge is aligned to the deep basin, a rupture of non-seismic portions of the SW piping in the Turbine Building could potentially result in a loss of some basin inventory until manual action is taken to isolate the break(s). Analysis of this scenario (Reference 1) has determined that the resulting water loss would not reduce basin inventory below acceptable levels.

RHR Heat Exchangers (Section 4.8) - The two RHR heat exchangers are included in this system. Depending upon basin temperature and heat load, the Alternate Cooling System will use both exchangers to accomplish the following tasks:

- a. To provide suppression pool (torus) cooling.
- b. To remove decay and sensible heat directly from the primary system after primary pressure has been reduced to between 100 and 50 psig.
- c. To provide backup augmented cooling for the spent fuel pool.

4. RHRSW Pumps

The four RHRSW pumps are included in this system. Allowable pump operating modes are shown in Table 10.8.1. The RHRSW pumps will take suction from a common header and discharge to the following components: RHR heat exchangers, ECCS Room coolers, diesel generator heat exchangers, Standby Fuel Pool Cooling Heat Exchangers, RHR pump seal coolers, and RHRSW pump motor coolers. The RHRSW pumps are designed for Class I seismic design loadings.

During ACS operation, fuel pool temperature is normally maintained using the Standby Fuel Pool Cooling System.

The Alternate Cooling System is not classified as an Engineered Safeguard System and is consequently not designed to accept the consequences of a design basis loss-of-coolant accident. It is also not designed to meet single failure criteria...

10.8.4 Safety Evaluation

The maximum heat transfer condition of the system occurs approximately three hours after reactor shutdown just before the RHR System operating mode is switched from the containment cooling mode to the reactor shutdown cooling mode. The estimated heat loads are as follows:

Estimated Heat Loads (Time ~3 Hours After Shutdown)

In addition, the fuel pool is assumed to contain fuel elements with a decay heat load of 7.8×10^6 Btu/hr. Fuel pool cooling would be needed in an estimated two to three days to prevent boiling and resultant adverse environment in the Reactor Building. Augmented fuel pool cooling (using RHR Heat Exchangers) and reactor shutdown cooling mode cannot be operated...

The cooling tower cell is capable of removing greater than 120×10^6 Btu/hr, which is well above the heat loads identified. This satisfies Safety Design Bases 1 and 2.

The minimum volume of water in the deep basin is approximately 1.45×10^6 gallons. This is sufficiently large to ensure operability of the system for a seven-day period (assuming a loss of Vernon Dam scenario) accounting for evaporative and other losses occurring during system operation. This satisfies Safety Design Basis 3.

All equipment required for successful operation of the Alternate Cooling System is capable of being supplied by emergency power (see FSAR Tables 8.5.3A and 8.5.3B). All equipment and structures required for successful operation of the Alternate Cooling System have been designed to meet Class I seismic criteria. This satisfies Safety Design Bases 4 and 5.

Applicable Legal Standard- Non-Conformance with Licensing Basis – If ENVY has not shown, as New England Coalition contends ENVY has not shown, that that the Alternate Cooling System will resist the effects of earthquake or other natural phenomena under extended power uprate conditions, then ENVY has not shown that Vermont Yankee will be operating in conformance with its licensing and design basis for its Alternate Cooling System (as only partially described in the foregoing). (also see, NUREG –0800, Standard Review Plan 14.2.1 Generic Guidelines for Extended Power Uprate Testing Programs at II “Acceptance Criteria” - December 2002)

Applicable Legal Standard – 10 CFR Part 50, Appendix S, paragraph I(a), and/or 10 C.F.R. Part 100, Appendix A.” And by extension, Draft General Design Criteria 2 and 19

Selected Applicable Sections

10 CFR Appendix S to Part 50—Earthquake Engineering Criteria for Nuclear Power Plants

(2) The capability to shut down the reactor and maintain it in a safe shutdown condition;
or

(3) The capability to prevent or mitigate the consequences of accidents that could result in potential offsite exposures comparable to the guideline exposures of § 50.34(a)(1)...

...

(ii) The nuclear power plant must be designed so that, if the Safe Shutdown Earthquake Ground Motion occurs, certain structures, systems, and components will remain functional and within applicable stress, strain, and deformation limits. In addition to seismic loads, applicable concurrent normal operating, functional, and accident-induced loads must be taken into account in the design of these safety-related structures, systems, and components. The design of the nuclear power plant must also take into account the possible effects of the Safe Shutdown Earthquake Ground Motion on the facility foundations by ground disruption, such as fissuring, lateral spreads, differential settlement, liquefaction, and land sliding, as required in § 100.23 of this chapter. (iii)

The required safety functions of structures, systems, and components must be assured during and after the vibratory ground motion associated with the Safe Shutdown Earthquake Ground Motion through design, testing, or qualification methods - [61 FR 65173, Dec. 11, 1996]

Appendix A to Part 100—SEISMIC AND GEOLOGIC SITING CRITERIA FOR NUCLEAR POWER PLANTS

General Design Criterion 2 of Appendix A to part 50 of this chapter requires that nuclear power plant structures, systems, and components important to safety be designed to withstand the effects of natural phenomena such as earthquakes, tornadoes, hurricanes, floods, tsunami, and seiches without loss of capability to perform their safety functions.

Draft General Design Criterion 2 – Performance Standards (Category A) –1967

Those systems and components of reactor facilities which are essential to the prevention of accidents which could affect the public health and safety or to the mitigation of their consequences shall be designed, fabricated, and erected to performance standards that will enable the facility to withstand, without loss of the capability to protect the public, the additional forces that might be imposed by natural phenomena such as earthquakes, tornadoes, flooding conditions, winds, ice, and other local site effects. The design bases so established shall reflect: (a) appropriate consideration of the most severe of these natural phenomena that have been recorded for the site and the surrounding area and (b) an appropriate margin for withstanding forces greater than those recorded to reflect uncertainties about the historical data and their suitability as a basis for design.

Draft General Design Criterion 19

Protection Systems shall be designed for high functional reliability and in-service testability commensurate with safety functions to be performed.

Applicable Legal Standard- Non-Conformance with both Draft and General Design Criteria – If

it has not been shown, as New England Coalition contends it has not been shown, that that the Alternate Cooling System will resist the effects of earthquake or other natural phenomena under extended power uprate conditions, then it has not been shown that Vermont Yankee will be operating in conformance with either the Draft or the General Design Criteria.

Additional Applicable Legal Standard Regarding Adequacy of Structural and Seismic Analyses

In its Request For Leave To File A New Contention, New England Coalition, for purposes of evaluating the adequacy of the ABS report, included the following from 10 CFR Part 50.9 (a), which requires that,

Information provided to the Commission by an applicant for a license or by a licensee or information required by statute or by the Commission's regulations, orders, or license conditions to be maintained by the applicant or the licensee shall be complete and accurate in all material respects. (*emphasis added*).

New England Coalition continues to maintain, that in order to provide adequate assurance of occupational and public health and safety during operation of the Vermont Yankee Nuclear Power Station under extended power uprate conditions, ENVY must provide documentation, per 10 CFR 50.9(a), that, e.g., the ACS under uprate condition will be in compliance with the original design basis as licensed by the Commission and that the actual structures, systems and components comprising the ACS will perform satisfactorily in service at the requested increased plant power level.

CONCLUSION

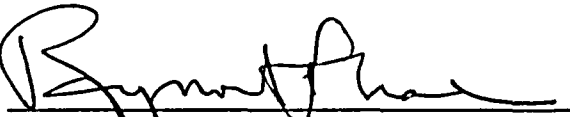
For all of the good reasons above, New England Coalition contends that failure to provide adequate analysis of the ability of the Alternate Cooling System to withstand the effects of earthquake and other natural phenomena (per both Draft and General Design Criteria 2 and other relevant standards including 10 CFR 50 Appendix and Vermont Yankee specific licensing and design basis) under uprate conditions (fully described in Contention 4 as modified and admitted by the ASLBP for adjudication) constitutes a failure to provide adequate assurance of public health and safety.

New England Coalition has provided herein, to the best of its ability within the time allotted and per the Board's March 10, 2006 and March 14, 2006 Orders, identification with particularity and specificity, of the applicable legal standards in Contention 4.

If, for whatever reasons, the Board deems this pleading insufficient, New England Coalition now respectfully requests an opportunity to cure any defects the Board identifies in a new or amended pleading according to the Board's discretion.

Respectfully submitted:

NEW ENGLAND COALITION

BY: 

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pro se representative

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**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the matter of
ENTERGY NUCLEAR VERMONT YANKEE, LLC
and ENTERGY NUCLEAR OPERATIONS, INC.
(Vermont Yankee Nuclear Power Station)

March 20, 2006
Docket No. 50-271

ASLBP No. 04-832-02-OLA

**NEW ENGLAND COALITION'S STATEMENT
ON THE SCOPE OF NEW ENGLAND COALITION CONTENTION 3**

INTRODUCTION

In accordance with the Atomic Safety and Licensing Board's Orders of March 10, 2006 (oral) and March 14, 2006 (written), New England Coalition now provides its Statement on the scope of New England Coalition's Contention 3.

The relevant portion of the March 14, 2006 Order reads,

NEC Contention 3 alleges that "The license amendment should not be approved unless Large Transient Testing is a condition of the Extended Power Uprate." On March 20, 2006, NEC shall submit a statement or brief, not to exceed ten pages, that specifies all of the large transient tests that it believes are necessary, and, if NEC asserts that large transient tests in addition to the main steam isolation valve closure test and the generator load rejection test are required, why those two tests do not bound NEC's safety concerns.

STATEMENT

Based on continuing examination of Entergy Nuclear Vermont Yankee's application for extended power uprate and consideration reduced cooling margins under uprate, uncertainties regarding associated circuitry, and two scrams (2004 and 2005) that resulted from the failure of heavy service electrical components, New England Coalition has considered whether a full-

transient test involving station blackout should be required as prerequisite to operation at increased thermal power in order to assure adequate protection of public health and safety.

New England Coalition believes that it should and has considered whether a requirement for full-transient testing involving station blackout could be drawn from Contention 3.

Upon examination of the history and relevant documentation of Contention 3, and after discussion with NRC Staff and ENVY counsel, New England Coalition is convinced that any additional type of Large Transient Testing beyond the main steam isolation valve closure test and the generator load rejection test is not within the scope of Contention 3 as admitted.

Respectfully submitted:

NEW ENGLAND COALITION

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**+UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

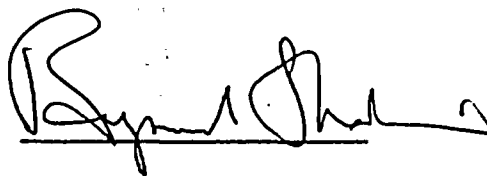
In the Matter of)) ENTERGY NUCLEAR VERMONT YANKEE)) LLC and ENTERGY NUCLEAR) OPERATIONS, INC.)) (Vermont Yankee Nuclear Power Station))	Docket No. 50-271-OLA ASLBP No. 04-832-02-OLA
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CERTIFICATE OF SERVICE

I hereby certify that copies of NEW ENGLAND COALITION'S BRIEF ON THE LEGAL SCOPE of CONTENTION 4 , NEW ENGLAND COALITION'S STATEMENT ON THE SCOPE OF CONTENTION 3 , and NEW ENGLAND COALITION'S UNOPPOSED MOTION FOR THE ENLARGEMENT OF TIME in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class and by e-mail as indicated by a double asterisk (**), this 20th day of March 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: lesrr@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	John M. Fulton, Esq. Assistant General Counsel Entergy Nuclear Operations, Inc. 440 Hamilton Avenue White Plains, NY 10601

<p>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 matias.travieso-diaz@pillsburylaw.com douglas.rosinski@pillsburylaw.com</p>	<p>Sarah Hofmann, Esq.** Special Counsel Department of Public Service 112 State Street - Drawer 20 Montpelier, VT 05620-2601 E-mail: sarah.hofmann@state.vt.us</p>
<p>Anthony Z. Roisman, Esq.** National Legal Scholars Law Firm 84 East Thetford Rd. Lyme, NH 03768 E-mail: aroisman@nationallegalscholars.com</p>	
<p>Jonathan M. Rund, Esq.** Law Clerk Atomic Safety and Licensing Board Panel Mail Stop: T-3F23 U.S. Nuclear Regulatory Commission Washington, DC 20555-0001 (E-mail: jmr3@nrc.gov)</p>	<p>Sherwin E. Turk, Esq.** Jason C. Zorn, Esq.** Office of the General Counsel Mail Stop O-15 D21 U.S. Nuclear Regulatory Commission Washington, DC 20555-0001 set@nrc.gov, jcz@nrc.gov</p>



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UNITED STATES
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Docket No. 50-271

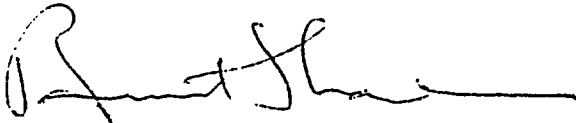
ASLBP No. 04-832-02-OLA

Office of the Secretary
ATTN: Rulemaking and Adjudications Staff
Mail Stop: O-16C1
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Rulemaking and Adjudications Staff,

Please find for filing in the above captioned matter one original and two copies of
New England Coalition's Brief on the Legal Scope of New England Coalition Contention 4,
New England's Statement on the Scope of Contention 3,
and
New England Coalition's Unopposed Motion for the Enlargement of Time

Thank you for your kind assistance in making this filing,



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