

STATE OF VERMONT
PUBLIC SERVICE BOARD

Petition of Entergy Nuclear Vermont Yankee,)	
LLC, and Entergy Nuclear Operations, Inc.,)	
For a Certificate of Public Good Pursuant to)	
30 V.S.A. § 248 and 10 V.S.A. § 6522 to)	PSB Docket No. 8300
Construct a Second Independent Spent Fuel)	
Storage Installation ("ISFSI") at the Vermont)	
Yankee Nuclear Power Station)	

ANR's SECOND SET OF INFORMATION REQUESTS ON PETITIONER

The Agency of Natural Resources ("Agency" or "ANR") by undersigned counsel, hereby serves the following Second Set of Information Requests upon Petitioner Entergy Nuclear Vermont Yankee, LLC, and Entergy Nuclear Operations, Inc. ("Petitioner" or "Entergy") in accordance with Public Service Board Rule 2.214 and V.R.C.P. 33 and 34, and requests that Petitioner answer the requests in accordance with V.R.C.P. 33 and 34 and deliver its answers and all requested documents and materials to the Agency's offices as soon as possible but in no case later than July 20, 2015. Petitioner is requested to provide a copy of its answers in electronic format, that is, Word or other format readable by the Agency. Please produce two copies of your responses.

INSTRUCTIONS AND DEFINITIONS

1. Please reproduce the request being responded to before the response. Provide two complete hard copies of your responses and an electronic copy on disk. Provide two complete copies of all documents produced. All spreadsheets and computer data should also be provided on disk.
2. Responses to any and all Agency requests that are contained herein or that may be filed later should be supplied to the Agency as soon as they become available to Petitioner. That is, Petitioner should not hold answers to any requests for which it does have responsive data, documents, etc., until responses to any or all other requests are compiled.
3. The response to each request should be made under oath by a person competent to testify concerning the response and all documents and exhibits produced as part of the response. With respect to each request, please state (1) the name(s) and title(s) of the person or persons responsible for preparing the response; and (2) the administrative unit which maintains the records being produced or maintains the data from which the answer was prepared; and (3) the date on which each question was answered.
4. Where information requested is not available in the precise form described in the question or is not available for all years (or other periods or classifications) indicated in a series of years (or other periods or classifications), please provide all information with respect to the subject matter of the question that can be identified in Petitioner work papers and files or that is otherwise available.
5. These requests shall be deemed continuing. Petitioner is directed to change, supplement and correct its answers to conform to all information as it becomes available, including the substitution of actual data for estimated data. Responses to requests for information covering a period not entirely in the past (or for which complete actual data are not yet available) should include all actual data available at that time and supplementary data as it becomes available.
6. Wherever responses include estimated information, include an explanation (or reference to a previous explanation) of the methods and calculations used to derive the estimates.
7. Some of the Agency's requests may make particular reference to a portion of a filing in this matter. Notwithstanding this specific direction, these items should be understood to seek discovery of all information available to Petitioner that is responsive to the questions stated.
8. Documents produced pursuant to these requests shall be organized and labeled in correspondence with the paragraph number to which they are alleged to respond. With respect to each document produced by Petitioner, identify the person who prepared the document and the date on which the document was prepared.

9. If any request to admit is responded to by a denial or an objection, explain in detail the reason for such denial or objection.
10. If in response to any request for information, the responding party asserts attorney client privilege, attorney work product, or any other privilege, please provide in addition to the basis of the privilege the date of the allegedly privileged communication(s), the identity of all persons who were party to the allegedly privileged communication(s) or who received photocopies of such communication(s), and the subject matter of the allegedly privileged communication.
11. If any interrogatory or request is objected to in whole or in part, please describe the complete legal and factual basis for the objection, and respond to all parts of the interrogatory or request to the extent it is not objected to. If an objection is interposed as to any requested documents, please identify the document by author, title, date and recipient(s), and generally describe the nature and subject matter of the document as well as the complete legal and factual basis for the objection.
12. These discovery questions are organized under broad general topic headings in an effort to facilitate ease of processing by both Petitioner and Agency staff. Notwithstanding this approach to organization, each question shall be understood to seek discovery of all information available to Petitioner that is responsive to the question stated.
13. The terms "and" and "or" shall be construed either disjunctively or conjunctively, as necessary, to bring within the scope of this request any information which might otherwise be construed to be outside its scope.
14. "Activities" means activities regulated by the Agency pursuant to 10 V.S.A. § 159 and any of the regulations promulgated thereunder.
15. "Document," shall be construed as broadly as possible and means any written, recorded, computer-generated, or visually or aurally reproduced material of any kind in any medium in your possession, custody, or control, or known by you to exist, including all originals, prior drafts, and all non-identical copies.
16. "Identify" means:
 - a. with respect to a natural person, to set forth: the person's full name, the person's present or last known employer (include full name and address), and the person's current title, position, or business;
 - b. with respect to a corporation, partnership, or other business entity (including a sole proprietor) to set forth: the entity's full name, address, and affiliation with the individual and/or company to whom/which this request is addressed.

17. "Material" or "materials" means any and all non-radiological objects, goods, substances, or matter of any kind, including hazardous and solid wastes.
18. "PCB" means any Polychlorinated Biphenyl and any daughter products of incomplete combustion of any Polychlorinated Biphenyl.
19. "Petitioner" refers to Entergy Nuclear Vermont Yankee, LLC, and Entergy Nuclear Operations, Inc.
20. "Project", "proposed facilities", "project site", and "project area" means the installation and construction of the Second Independent Spent Fuel Storage Installation ("ISDSI") at the Vermont Yankee Nuclear Power Station located in Vernon, Vermont, all as described in Petitioner's filings in this docket.
21. "Waste" means a non-radiological material that is discarded or is being accumulated, stored, or physically, chemically, or biologically treated prior to being discarded or has served its original intended use and is normally discarded or is a manufacturing or mining by-product and is normally discarded.
22. The term "you", "your", or "Entergy" shall mean Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. and shall include any officer, manager, employee, contractor, trustee, successor, assign, and agent of Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc.

Information Requests and Questions

1. Please identify and describe all non-radiological waste activities that have taken place at the North Warehouse since the building was constructed.
 - a. For each non-radiological waste activity identified, please identify all persons that have information about the activity.
 - b. Please produce any and all documents that relate to non-radiological waste activities at the North Warehouse.
2. Has Entergy VY, or any of the previous owners or operators of the Vermont Yankee Station, stored and/or burned PCB contaminated waste oil in the North Warehouse?
3. If PCB contaminated waste oil has been stored and/or burned in the North Warehouse:
 - a. Please identify all persons that have information about the storage and/or burning of PCB contaminated waste oil in the North Warehouse.
 - b. Please produce any and all documents related to the storage and/or burning of PCB contaminated waste oil.

- c. Please identify and describe all steps Entergy VY has taken, and/or will take, to evaluate whether PCB contaminated oil has spilled and/or was not burned completely.
4. Regarding the testimony of George Thomas on page 11:

“Once the tools, materials and equipment are removed from the warehouse, a radiation survey, a lead paint survey and an asbestos survey will be conducted of the building and the waste-oil burner located in the building. Areas requiring remediation will be identified and marked according.”

 - a. Please explain why Mr. Thomas' testimony does not indicate that Entergy VY will perform a survey and assessment for PCBs.
 - b. Please identify and describe all steps Entergy VY will take to survey, assess, and remediate PCBs present in the North Warehouse.
5. Regarding the testimony of George Thomas on page 12-13:

“The aboveground, fuel oil storage tank will have a capacity of approximately 1,250 gallons. The fuel tank will be surrounded by an approximately 1,400 gallon rupture basin which contains a leak detection switch to detect a fuel oil leak from the storage tank. The fuel oil storage tank and the rupture basin will be mounted within the foundation base which is located between the enclosure and the foundation pad.”

 - a. Please explain how the installation and operation of the new fuel oil storage tank will comply with the Vermont Aboveground Storage Tank Rules.
6. Regarding George Thomas' testimony on page 12 about removal of the old fuel oil storage tank:

“Any soil or debris contaminated with petroleum products will be handled in accordance with the requirements of the Vermont Hazardous Waste Management Rules.”

 - a. Please identify and describe the steps Entergy VY will take to evaluate contamination in the excavated soil or debris.
 - b. Please explain how Entergy VY will address soil or debris contaminated by non-radiological contaminants other than petroleum.
7. Regarding the testimony of George Thomas on 16-17 re excavated soil:

- a. Please identify and describe the steps Entergy VY will take to evaluate non-radiological contamination in the excavated soil or debris.
- b. Please explain how Entergy VY will address soil or debris contaminated by non-radiological contaminants other than petroleum.

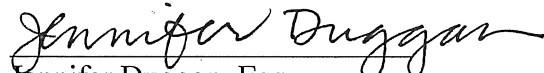
Requests to Produce

1. To the extent not already provided in the June 17, 2015 *Response of Entergy Nuclear Vermont Yankee, LLC, and Entergy Nuclear Operation's Inc., to the Agency of Natural Resources' First Set of Information Requests*, please produce any and all documents regarding, relating to, referencing, or concerning the geological and seismological characteristics used by Sargent & Lundy to perform its analysis related to the seismic response and design of the Second ISFSI storage pad.
2. Please produce all documents requested in the information requests.
3. Please produce any and all documents identified, referenced, relied upon, or referred to in responding to these information requests.

Dated this 6th day of July, 2015, at Montpelier, Vermont.

State of Vermont
Agency of Natural Resources

By:


Jennifer Duggan, Esq.