

STATE OF VERMONT
PUBLIC SERVICE BOARD

Petition of Entergy Nuclear Vermont Yankee, LLC, and Entergy Nuclear Operations, Inc., for a Certificate of Public Good authorizing the construction of a second independent spent fuel storage installation storage pad and related improvements, including installation of a new diesel generator with an electrical rating of approximately 200 kW, at the Vermont Yankee Nuclear Power Station in the Town of Vernon, Vermont

November 4, 2015
Docket 8300

**INFORMATION REQUESTS ON REBUTTAL TESTIMONY
SERVED UPON ENTERGY NUCLEAR VERMONT YANKEE, LLC
AND ENTERGY NUCLEAR OPERATIONS, INC.
BY NEW ENGLAND COALITION, INC.**

New England Coalition, Inc. (NEC) by Clay Turnbull, *Pro Se* Representative, hereby serves the following Information Requests upon Entergy Nuclear Vermont Yankee, LLC, and Entergy Nuclear Operations, Inc. (taken together “Entergy”) in the above captioned docket in accordance with Public Service Board Rule 2.214 and V.R.C.P.33 and 34, and requests Entergy answer the requests in accordance with V.R.C.P. 33 and 34 and cause to be delivered its answers and all requested documents and materials to the New England Coalition, Inc. (NEC) offices in Brattleboro, Vermont as soon as practicable, and per the Vermont Public Service Board’s Order of May 6, 2015, in no case later than November 25, 2015. Entergy is requested to provide two complete copies of all answers with two additional copies in standard electronic format, that is, WordPerfect, Microsoft Word, or electronically searchable, extractable pdf format. Where Entergy has the requested information in original electronic format, Entergy is requested to provide it in original format. One of these copies shall be delivered to Clay Turnbull at New England Coalition’s office, the other copy to be sent to Raymond Shadis, 47 Shadis Rd., Edgecomb, ME 04556.

INSTRUCTIONS

1. Reproduce the request being responded to before the response per V.R.C.P. 33.
2. Responses to any and all NEC requests contained herein or which may be filed later should be supplied to NEC as soon as they become available to Entergy. That is, Entergy 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. V.R.C.P. 33 requires the response to each request to be made under oath by a person competent to testify concerning the response and to include 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;
 - (2) the administrative unit which maintains the records being produced or maintains the data from which the answer was prepared;
 - (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 Entergy work papers and files or which is otherwise available.
5. These requests shall be deemed continuing and must be supplemented in accordance with V.R.C.P. 26 (e). Entergy is directed to change, supplement and correct its answers to conform to all information as it becomes available to Entergy, 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 NEC's requests may make particular reference to a portion of Entergy's filing. Notwithstanding this specific direction, these items should be understood to seek discovery of all information available to Entergy which is responsive to the questions stated.
8. "Identify," when used in connection with natural person(s) or legal entities, shall mean the full name and current business address of the *person* or entity.
9. "Document," as used herein, shall be construed as broadly as possible to include any and all means and media by which information can be recorded, transmitted, stored, retrieved or memorialized in any form, and shall also include all drafts, versions or copies which differ in any respect from the original. All spreadsheets provided must have all formulae intact and accessible. Documents shall include all documents that have been posted on Citrix and/or any other limited access electronic bulletin board, archive, or website for the purpose of informing the U.S. Nuclear Regulatory Commission, any other regulator, Entergy or any of its corporate branches or sub-divisions, consultants, or trade organizations (E.G, INPO, BWROG, NEI, etc.).
10. "Petition," as used herein, means Entergy's petition filed with the Vermont Public Service Board in this docket, unless the context indicates otherwise.
11. With respect to each document produced by Entergy, identify the person who prepared the document and the date on which the document was prepared.

12. If any interrogatory or request requires a response Entergy believes to be privileged, please state the complete legal and factual basis for the claim of privilege, provide the information required by the May 6, 2015 scheduling order in Docket No. 8300, and respond to the parts of the interrogatory or request as to which privilege is asserted.

13. 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 to which it is not objected. 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.

14. To expedite the discovery process and the resolution of this docket, Entergy should contact NEC as soon as possible, and prior to the above deadline for response, if it seeks clarification on any of these information requests.

15. If Entergy believes any of the information requested has already been provided to New England Coalition please identify the information Entergy believes to be responsive by title, location, author, date, and document and/or index number.

16. NEC reserves the right to submit additional information requests to Entergy.

INTERROGATORIES AND REQUESTS TO PRODUCE

Requests to George Thomas

Q.NEC:EN.GT.R-1: Regarding Thomas' pre-filed rebuttal answer 17 at page 11, line 4:

A. Please provide any analyses, data, conclusions, criteria, reports, memos, maps, drawings, diagrams, illustrations, studies, rubric or any other document used or made in identifying, excluding, or selecting potential locations on and off site including cost comparisons and results of surveys or other documents indicating public and other stakeholder opinion with respect to siting.

B. Provide the identity (name, title, organization) of all employees, contractors and subcontractors of those involved in the decision making process of the location selection and exclusions of potential locations on and off site. Include a timeline of the decision making process.

C. At Line 7: Was the right of way issue as discussed the only reason the north and east side was not selected? Provide all evidence of an attempt to mitigate the preclusion of this location in addition to the documents requested in question 1(A) above.

D. At Line 9: Were the aesthetics and radiation issues as discussed the only reasons the west

side was not selected? Provide all evidence of an attempt to mitigate the preclusion of this location in addition to the documents requested in question 1(A) above.

E. At Line 13: Why is the release of radiation an issue in siting the pad on the west side? Provide the studies or data showing where the release would cease to be a concern.

F. At Line 19: Were the West Cooling Tower Deep Basin, Vertical Cask Transporter path, aesthetics and radiation issues as discussed the only reasons the south side was not selected? Provide all evidence of an attempt to mitigate the preclusion of this location in addition to the documents requested in question 1(A) above. Also provide documents showing which properties would be affected by the lighting and provide objective lighting criteria used in evaluating ISFSI siting at Vermont Yankee.

G. At Line 4, Page 12: Why is the release of radiation an issue in siting the pad on the south side? Provide the studies or data showing where the release would cease to be a concern due to proximity to neighboring properties.

H. Would the presence or absence of plant structures affect the aesthetic impacts of the proposed ISFSI after decommissioning the VY nuclear power station? If you are working with the assumption that the ISFSI will be emptied of spent fuel prior to plant license termination, please provide all supporting documents for that assumption.

Q.NEC:EN.GT.R-2. At Line 9: Provide all support for your statement "I estimate that such activities would take several years," especially considering the availability of subsurface geological maps and other previously performed site assessments. Please quantify what you intend by "several years." In your opinion is there any practical way to shorten the estimated time? Please provide support for your answer.

Q.NEC:EN.GT.R-3 At Line 21: Provide any NRC regulation or law citations which would prevent you (Entergy VY, Entergy Nuclear Operations, et al.) from exploring offsite locations for interim storage. Provide any NRC regulation or law citations which would prevent you from applying for a stand-alone single-plant interim waste storage site license.

Requests to T. Michael Twomey

Q NEC-EN TMT.R-4 At Page 1, A-1: What are your duties as "Vice-President of External Affairs"

A. Have you experience in decommissioning? If so please provide an outline of that experience with relevant documentation.

B. Have you experience in ISFSI siting and construction? If so please provide an outline of that experience with relevant documentation.

Q.NEC:EN.TMT.R-5. At Page 2, Line 1:

Regarding your statement that adequate financial assurance exists for management of spent fuel, please explain how the total sum needed can be accurately predicted if there is no date certain for removal of spent fuel and subsequently the spent fuel casks? Please provide any documentation in support of your opinion/assertion.

Q.NEC:EN TMT.R-6 At A5: ". . . Entergy VY's ability to recover spent fuel management costs from the DOE, as demonstrated by the judgment it received that provided for its recovery of nearly \$41 million of costs incurred through April 2008..."

Is the basis for the judgement DOE's failure to fulfil its contract obligation to remove spent fuel from the VY site in a timely manner? If your answer is in the affirmative, do you now trust that DOE will perform in a timely manner with respect to clearing the proposed ISFSI? If not, then what is the basis for the judgement? Please provide supporting documents for your answer.