

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

ENTERGY NUCLEAR VERMONT)
YANKEE, LLC and ENTERGY NUCLEAR)
OPERATIONS, INC.,)
Plaintiffs,)

v.)

Docket No: 1:11-CV-99

PETER SHUMLIN, in his official capacity as)
GOVERNOR OF THE STATE OF)
VERMONT; WILLIAM SORRELL, in his)
official capacity as the ATTORNEY)
GENERAL OF THE STATE OF VERMONT;)
and JAMES VOLZ, JOHN BURKE, and)
DAVID COEN, in their official capacities)
as members of THE VERMONT PUBLIC)
SERVICE BOARD,)
Defendants,)

**DECLARATION OF RAYMOND SHADIS IN SUPPORT OF
NEW ENGLAND COALITION, INC.'S AMICUS MEMORANDUM**

NOW COMES Mr. Raymond Shadis and, pursuant to 28 U.S.C. § 1746, declares as follows:

My name is Raymond Shadis and I live at 37 Shadis Road, Edgecomb, Maine 04556. Since December 1, 2006, I have served as a technical consultant to New England Coalition – Opposing Nuclear Pollution (“NEC”, d/b/a “New England Coalition”). From December 1, 1997 to December 1, 2006, I was employed by NEC as “Staff Technical Advisor.” I recently served as NEC’s expert before the Vermont Public Service Board in Dockets 7440 and 7600, and I have testified before the Vermont Legislature regarding the relicensing of the Vermont Yankee plant. I have personal knowledge of the following exhibits:

1. Attached hereto as Exhibit 1 is a true and correct copy of an excerpt of the transcript of Public Service Board Docket No. 7440 Testimony of May 26, 2009, pages 136-139 (testimony of Mr. Colomb – Vermont Yankee Site Vice-President).
2. Attached hereto as Exhibit 2 is a true and correct copy of an excerpt of the transcript of Public Service Board Docket No. 7440 Testimony of June 3, 2009, pages 51-53 (testimony of Mr. Lamont of the Department of Public Service).

3. Attached hereto as Exhibit 3 is a true and correct copy of an excerpt of the transcript of Public Service Board Docket No. 7440 Testimony of May 26, 2009, pages 110-112 (testimony of Mr. Colomb – Vermont Yankee Site Vice-President).
4. Attached hereto as Exhibit 4 is a true and correct copy of an excerpt of the transcript of Public Service Board Docket No. 7440 Testimony of May 26, 2009, pages 126-127 (testimony of Mr. Colomb – Vermont Yankee Site Vice-President).
5. Attached hereto as Exhibit 5 is a true and correct copy of an excerpt of the transcript of Public Service Board Docket No. 7440 Testimony of May 26, 2009, pages 177-180 (testimony of Mr. Colomb – Vermont Yankee Site Vice-President).
6. Attached hereto as Exhibit 6 is a true and correct copy of the WCAX.com article entitled “VT Yankee in hot water over underground pipes” dated January 15, 2010.
7. Attached hereto as Exhibit 7 is a true and correct copy of an excerpt of the transcript of Public Service Board Docket No. 7440 Testimony of May 26, 2009, pages 115-126 (testimony of Mr. Colomb – Vermont Yankee Site Vice-President).
8. Attached hereto as Exhibit 8 is a true and correct copy of an excerpt of the transcript of Public Service Board Docket No. 7440 Testimony of May 26, 2009, pages 183-189 (testimony of Mr. Colomb – Vermont Yankee Site Vice-President).
9. Attached hereto as Exhibit 9 is a true and correct copy of the Rutland Herald article entitled “Official: Entergy Ignored Sinkholes” dated May 28, 2010.
10. The following is a true and correct quote of the objection provided by Entergy to the discovery questions of NEC in PSB Docket No. 7440 – it was used by Entergy for all of NEC’s discovery requests that pertained to the reliability of the Vermont Yankee plant:

Entergy VY objects on the ground that the information requested in this question is or may be relevant to an issue—the reliability of the VY Station—over which the Vermont General Assembly has asserted direct authority under Act No. 189 of the Session Laws of the 2007-2008 legislative session. Discovery in this docket regarding VY Station reliability issues would be inconsistent and conflict with the intent and processes created by Act No. 189 relating to the Comprehensive Vertical Audit and Reliability Assessment of the VY Station by the audit-inspection team and Public Oversight Panel, as those terms are defined in Act No. 189. Discovery in this docket on reliability issues would, furthermore, be duplicative of the review and document-disclosure process under Act No. 189, causing Entergy VY to expend double resources on an issue that is being addressed under Act No. 189.

Attached hereto as Exhibit 10 is a true and correct copy of the general objections provided by Entergy to NEC’s discovery requests – See General Objection 5.

11. Attached hereto as Exhibit 11 is a true and correct copy of the Public Oversight Panel final report to the Vermont Legislature on the Vermont Yankee Comprehensive Reliability Assessment.
12. Attached hereto as Exhibit 12 is a true and correct copy of a June 6, 1994 press release from Peco Energy, regarding the successful transfer of irradiated fuel from the Shoreham facility on Long Island, to the Limerick plant in Pennsylvania.
13. It is my understanding, from my review of various NRC technical documents and press releases, that the Vermont Yankee plant and the Pilgrim plant (in Massachusetts) are nearly identical, having been constructed in approximately the same year and with the same reactor model. To the best of my knowledge, both of these plants are currently owned by Entergy, or its affiliates. See Exhibit 13 - Table comparing Vermont Yankee and Pilgrim.
14. Attached hereto as Exhibit 14 is a true and correct copy of the New England Coalition Report entitled "Economic Consequences of the Early Closure of Maine Yankee Atomic Power Station, Wiscasset, Maine – the First Five Years" by Raymond Shadis.
15. Attached hereto as Exhibit 15 is a true and correct copy of the vtdigger.org article entitled "Green Mountain Power Announces Deal with NextEra for Power from Seabrook," dated May, 25, 2011.
16. Attached hereto as Exhibit 16 is a true and correct copy of an excerpt of the transcript of Public Service Board Docket No. 7440 Testimony of June 1, 2009, pages 178-183.
17. Attached hereto as Exhibit 17 is a true and correct copy of an excerpt of the transcript of Public Service Board Docket No. 7440 Testimony of June 2, 2009, pages 30-31.
18. Attached hereto as Exhibit 18 is a true and correct copy of an excerpt of the transcript of Public Service Board Docket No. 7600 Testimony of January 11, 2011, pages 107-108.
19. Attached hereto as Exhibit 19 is a true and correct copy of the Petition of Local 369, Utility Workers Union of America, AFL-CIO for Leave to Intervene and Request for Initiation of Hearing Procedures before the Nuclear Regulatory Commission, dated September, 18, 2007.

I declare under penalty of perjury that the foregoing is true and correct.

Executed May 31, 2011.

/s/ Raymond Shadis
Raymond Shadis