April 15, 2005

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.	)	Docket No. 50-271-OLA
	)	
	)	ASLBP No. 04-832-02-OLA
	)	
(Vermont Yankee Nuclear Power Station)	)	

NRC STAFF'S SECOND STATUS REPORT ON REVIEW SCHEDULE

Pursuant to the Atomic Safety and Licensing Board's ("Licensing Board") Initial Scheduling Order,[1] the staff of the Nuclear Regulatory Commission ("Staff") herein submits its second status report regarding the review schedule for the extended power uprate ("EPU") application that is at issue in this proceeding.[2]

The Staff has not yet developed a schedule for completion of its review of the EPU amendment request. However, there has been progress in the review since the filing of the Initial Status Report. In a letter to Entergy Nuclear Operations, Inc. (together with Entergy Nuclear Vermont Yankee, LLC, the "applicant") dated October 15, 2004, the Staff indicated that the original forecast review completion date of January 31, 2005, would be delayed by at least several months.

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[1] *See Entergy Nuclear Vermont Yankee L.L.C. and Entergy Nuclear Operations, Inc.* (Vermont Yankee Nuclear Power Station), Initial Scheduling Order, slip op. Feb. 1, 2005.

[2] The Staff filed its initial status report on March 15, 2005. *See* "NRC Staff's Initial Status Report on Review Schedule," dated March 15, 2005. In the Initial Scheduling Order, the Licensing Board directed the Staff to update its March 15 estimate, even if only to reflect no change, on a monthly basis as a part of its supplementary disclosures pursuant to 10 C.F.R. § 2.336(d). To ensure compliance with the Licensing Board's February 14, 2005 Order granting the applicant's unopposed motion to modify the disclosure period to 30 days, the Staff is filing its supplementary disclosures every three weeks. In view of the modification of the disclosure period, the Staff understands the Initial Scheduling Order as permitting, but not requiring, this status report to be filed together with the supplementary disclosures. As such, the Staff is filing this status report separately from its supplementary disclosures.

The Staff explained at that time that the schedule was impacted primarily due to concerns regarding the steam dryer analysis.[3] On April 5, 2005, the applicant submitted the last of a series of supplements to the EPU application intended to address the concerns raised in the October 15, 2004 letter. The Staff is currently evaluating those supplements and, thus far, one of the NRC staff technical branches performing the EPU review has determined that additional information will be required in order to complete its review. That request for additional information ("RAI") was issued on April 14, 2005. Other NRC technical branches have not yet determined whether further RAIs will be needed, due to the large amount of information that was recently submitted (*i.e.*, five supplements submitted between February 24, 2005, and April 5, 2005).

After the need for further RAIs is assessed, and, if further RAIs are required, response time frames are provided by the applicant, the review schedule can then be re-assessed. Once the schedule is re-assessed, that information will be provided to the ACRS so that a subcommittee and full committee meeting schedule can be established. In addition, pursuant to the Initial Hearing Order, the Staff will submit an updated status report on or about May 16, 2005.

Respectfully submitted,

/RA/
Brooke D. Poole
Counsel for NRC Staff

Dated at Rockville, Maryland
this 15th day of April, 2005

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[3] *See* Letter from L.B. Marsh, NRC, to M. Kansler, Entergy Nuclear Operations, Inc., "Vermont Yankee Nuclear Power Station - Extended Power Uprate Review Schedule (TAC No. MC0761)," dated October 15, 2004 (ADAMS Accession Number ML042650265).

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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S SECOND STATUS REPORT ON REVIEW SCHEDULE" in the captioned proceeding have been served on the following by deposit in the United States mail, first class; or as indicated by an asterisk (*), by deposit in the Nuclear Regulatory Commission's internal mail system; and by e-mail as indicated by a double asterisk (**), this 15th day of April, 2005.

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