

December 16, 2005

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

NRC STAFF'S TENTH
STATUS REPORT ON REVIEW SCHEDULE

In accordance with the Atomic Safety and Licensing Board's Initial Scheduling Order, dated February 1, 2005, the staff of the U. S. Nuclear Regulatory Commission ("Staff") hereby provides its tenth monthly status report concerning its ongoing safety and environmental reviews of the application of Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. (collectively, "Entergy" or "Applicant") for an amendment to the Vermont Yankee Nuclear Power Station operating license, to permit extended power uprate ("EPU") operations.

In its Ninth Status Report, filed on November 14, 2005,¹ the Staff reported, *inter alia*, that it had submitted its draft Safety Evaluation Report ("SER") to the Advisory Committee on Reactor Safeguards ("ACRS"), on October 21, 2005; that it issued the proprietary and non-proprietary versions of its draft SER on November 2, 2005; and that it published its draft Environmental Assessment ("EA") in the Federal Register, on November 9, 2005.² Ninth Status

¹ "NRC Staff's Ninth Status Report on Review Schedule," dated November 14, 2005 ("Ninth Status Report").

² See "Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc.; Vermont Yankee Nuclear Power Station Draft Environmental Assessment and Finding of No Significant Impact Related to the Proposed License Amendment To Increase the Maximum Reactor Power Level," 70 Fed. Reg. 68,106 (Nov. 9, 2005).

Report, at 2. Further, the Staff noted that it was planning to participate in the ACRS Subcommittee meetings to be held in Vermont on November 15-16, 2005. *Id.*

As indicated, on November 15-16, 2005, the Staff participated in the meetings held by the ACRS Subcommittee on Thermal-Hydraulic Phenomena, in Vermont. In addition, the Staff participated in the ACRS Subcommittee meetings held in Rockville, MD, on November 29-30, 2005, and in the full ACRS meeting held in Rockville, MD on December 7, 2005. On December 10, 2005, the Staff attended a public session of the ACRS held in Rockville, MD; in that meeting, the ACRS voted unanimously to tentatively recommend approval of the Vermont Yankee EPU application in all respects, subject to the terms of a draft letter report which the ACRS then had under consideration. The Staff understands that the ACRS is currently completing its letter, providing its conclusions and recommendations regarding approval of the EPU application. The Staff further understands that the ACRS letter may be issued later this month, but a firm date for issuance has not been established and the letter could be issued after December 31, 2005.

Assuming that the ACRS issues a letter recommending approval of the EPU application on or before December 31, 2005, the Staff believes that its review will continue to proceed in accordance with the previously published schedule, as follows:

ACRS Letter Report to Chairman:	December 31, 2005 ³
Issue Final EA:	February 7, 2006
Issue Final SER:	February 24, 2006

³ The Staff had previously noted its expectation that the ACRS letter would be issued on or before December 15, 2005. See Ninth Status Report at 3. Issuance of the ACRS letter two weeks later, on or before December 31, 2005, is not expected to result in a delay in issuance of the Staff's Final SER.

Pursuant to the Licensing Board's Initial Hearing Order, the Staff will submit an updated status report to the Licensing Board and parties on or about January 15, 2006.

Respectfully submitted,

/RA/
Sherwin E. Turk
Counsel for NRC Staff

Dated at Rockville, Maryland
this 16th day of December, 2005

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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S TENTH STATUS REPORT ON REVIEW SCHEDULE," in the above-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 16th day of December, 2005.

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