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January 3, 2008 [1:26pm]

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

January 3, 2008

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	Docket No. 50-271-LR
ENTERGY NUCLEAR VERMONT)	
YANKEE LLC AND ENTERGY NUCLEAR)	ASLBP No. 06-849-03-LR
OPERATIONS, INC.)	
(Vermont Yankee Nuclear Power Station))	

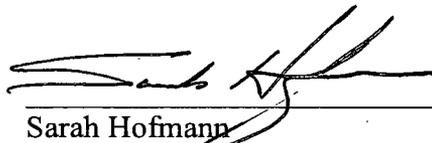
CERTIFICATE OF DISCLOSURE

I, Sarah Hofmann, Director for Public Advocacy for the Vermont Department of Public Service, being duly sworn, state the following:

1. I hereby certify that to the best of my knowledge, information and belief, the Vermont Department of Public Service is current with its Disclosures pursuant to 10 C.F.R. § 2.336 that are relevant and not privileged to the contentions now being considered in this docket before the Atomic Safety and Licensing Board.

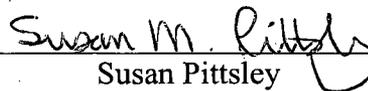
2. To the best of my knowledge, information and belief, these disclosures are accurate and complete as of this date.

Dated at Montpelier, Vermont this 3rd day of January, 2008.



Sarah Hofmann
Director for Public Advocacy
Vermont Department of Public Service
112 State Street - Drawer 20
Montpelier, VT 05620-2601

Subscribed and sworn to before me this 3rd day of January, 2008.



Susan Pittsley
Notary Public
My commission expires 02-10-11



Template Secy 0.35

Secy 02

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VERMONT DEPARTMENT OF PUBLIC SERVICE
DISCLOSURE OF 1/3/08 PURSUANT TO 10 C.F.R. § 2.336

Pursuant to 10 C.F.R. § 2.336(a) and (d), the Vermont Department of Public Service ("DPS" or "Department"), hereby makes the following continuing disclosures.

Documents provided in hard copy with this transmittal

34. Letter dated December 17, 2007 from DPS Commissioner David O'Brien to Pao-Tsin Kuo, Director of the NRC Division of License Renewal, re OIG Audit Report and the Vermont Yankee Final Safety Evaluation Report.

Respectfully submitted,



Sarah Hofmann
Director for Public Advocacy
Vermont Department of Public Service
112 State Street
Montpelier, VT 05620-2601
Tel. (802) 828-3088



State of Vermont
Department of Public Service
112 State Street
Drawer 20
Montpelier, VT 05620-2601
TEL: 802-828-2811

FAX: 802-828-2342
TTY VT: 800-734-8390
email: vt dps@state.vt.us
<http://publicservice.vermont.gov/>

December 17, 2007

U.S. Nuclear Regulatory Commission
Attn: Mr. Pao-Tsin Kuo
Director, Division of License Renewal
Mail Stop 011F1
11555 Rockville Pike
Rockville, MD 20852

SENT VIA FACSIMILIE: 301-415-2002

Re: Vermont Yankee Nuclear Power Station Final Safety Evaluation Report

Dear Mr. Pao-Tsin Kuo:

It is my understanding that the Final Safety Evaluation Report ("FSER") for the proposed license extension of the Vermont Yankee Nuclear Power Station will be issued this month. My staff and I have reviewed the Audit Report from the Office of the Inspector General issued on September 6, 2007 (OIG-07-A-15) regarding the NRC's License Renewal Program. The report raised a red flag for Vermont in terms of the quality of the upcoming FSER. I am contacting you before the FSER is issued to ask that you review the FSER prior to issuance to ensure that the problems discussed in the Audit Report are not inherent in the FSER for Vermont Yankee.

Specifically, I would like assurance that the NRC Staff in its review, independently verified licensee supplied operating experience and have not simply relied on Entergy's reporting. Vermont considers operating experience a critical factor in looking at license renewal. I would like to know that NRC Staff conducted independent searches of Entergy VY's corrective action databases and reviewed Vermont Yankee's corrective action program. Additionally, that Entergy's past inspection reports were thoroughly reviewed.

In terms of the report itself, Vermonters need to see the basis for the conclusions reached by NRC Staff. The Audit Report gave examples of the language in the FSER simply mirroring what the licensee put in its license renewal application which in term was taken from the GALL Report. Vermont wants to rely on the NRC Staffs' work as an independent look at the issue of license renewal and not as a parroting of the application. In cases where the license application is being quoted, we would like that material to be clearly delineated so a Vermont reader can differentiate what is NRC's independent analysis and what comes from a licensee.



I very much appreciate your review of the FSER prior to release to deal with the troubling issues brought out by the Audit Report. Your agency is key to ensuring that license renewal is granted only to those plants that are safe and to providing the public a report that clearly shows the NRC analysis in reaching its conclusion.

Please feel free to call me if you have questions about this letter.

Very truly yours,



David O'Brien, Commissioner
Vermont Department of Public Service

cc: Jonathan Rowley, NRC Project Manager for License Renewal
Honorable Governor James Douglas
Honorable Senate Pro Tem Peter Shumlin
Honorable Speaker Gaye Symington

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ENTERGY NUCLEAR VERMONT)
YANKEE LLC AND ENTERGY NUCLEAR)
OPERATIONS, INC.)
(Vermont Yankee Nuclear Power Station))

Docket No. 50-271-LR
ASLBP No. 06-849-03-LR

CERTIFICATE OF SERVICE

I hereby certify that copies of the Department of Public Service Disclosure and Certification of Disclosure were served on the persons listed below by deposit in the U.S. Mail, first class, postage prepaid, on the 3rd day of January, 2008, and by electronic mail and where indicated by an asterisk on the 3rd day of January, 2008.

*Office of Commission
Appellate Adjudication
Mail Stop O-16 C1
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
OCAAmail@nrc.gov

*Anthony Z. Roisman, Esq.
National Legal Scholars Law Firm
84 East Thetford Road
Lyme, NH 03768
aroisman@nationallegalscholars.com

*Ronald A. Shems, Esq.
*Karen Tyler, Esq.
Shems, Dunkiel, Kassel & Saunders, PLLC.
91 College Street
Burlington, VT 05401
rshems@sdkslaw.com
ktyler@sdkslaw.com

*Lloyd B. Subin, Esq.
*Mary C. Baty, Esq.
*David E. Roth
Office of the General Counsel
Mail Stop O-15 D21
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
lbs3@nrc.gov
mcb1@nrc.gov
der@nrc.gov

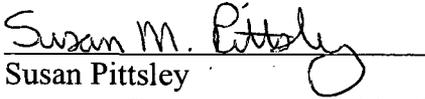
*David R. Lewis, Esq.
*Matias F. Travieso-Diaz
Pillsbury, Winthrop, Shaw, Pittman, LLP.
2300 N Street, N.W.
Washington, DC 20037-1128
david.lewis@pillsburylaw.com
matias.travieso-diaz@pillsburylaw.com

Lawrence J. Chandler, Esq.
Office of the General Counsel
Mail Stop - O-15 D21
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

*Peter Roth, Esq.
Environmental Protection Bureau
Attorney General Department of Justice
33 Capitol Street
Concord, NH 03301-6397
<mailto:jennifer.patterson@doj.nh.gov>

*Office of the Secretary
Attn: Rulemaking and Adjudications Staff
Mail Stop: O-16 C1
U.S. Nuclear Regulatory Commission
Washington D.C, 20555-0001
hearingdocket@nrc.gov
secy@nrc.gov

Respectfully submitted,


Susan Pittsley
Vermont Department of Public Service