

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Alex S. Karlin, Chairman  
Dr. Richard E. Wardwell  
Dr. William H. Reed

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In the Matter of

ENTERGY NUCLEAR VERMONT YANKEE,  
L.L.C.,  
and  
ENTERGY NUCLEAR OPERATIONS, INC.

Docket No. 50-271-LR

ASLBP No. 06-849-03-LR

January 26, 2009

(Vermont Yankee Nuclear Power Station)

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ORDER

(Denying NEC Petition for Reconsideration Under 10 C.F.R. § 2.345(b))

For the reasons set forth in the NRC Staff's answer,<sup>1</sup> the petition by the New England Coalition for reconsideration<sup>2</sup> of the Board's November 24, 2008, Partial Initial Decision, LBP-08-25, is denied.

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<sup>1</sup> NRC Staff's Answer in Opposition to NEC Motion for Reconsideration of LBP-08-25 (Jan. 7, 2009).

<sup>2</sup> New England Coalition's Motion for Reconsideration of the Licensing Board's Partial Initial Decision (Dec. 17, 2008).

It is so ORDERED.

THE ATOMIC SAFETY  
AND LICENSING BOARD<sup>3</sup>

**/RA/**

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Alex S. Karlin, Chairman  
ADMINISTRATIVE JUDGE

**/RA/**

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Dr. Richard E. Wardwell  
ADMINISTRATIVE JUDGE

**/RA/**

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William H. Reed  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
January 26, 2009

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<sup>3</sup> Copies of this order were sent this date by Internet e-mail transmission to counsel for (1) Entergy Nuclear Vermont Yankee, L.L.C., and Entergy Nuclear Operations, Inc.; (2) the Department of Public Service of the State of Vermont and the New England Coalition of Brattleboro, Vermont; (3) the NRC Staff; and (4) the State of New Hampshire and the Commonwealth of Massachusetts.

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ENTERGY NUCLEAR VERMONT YANKEE, LLC, )  
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (DENYING NEC PETITION FOR RECONSIDERATION UNDER 10 C.F.R. § 2.345(b)) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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Docket No. 50-271-LR

LB ORDER (DENYING NEC PETITION FOR RECONSIDERATION  
UNDER 10 C.F.R. § 2.345(b))

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UNDER 10 C.F.R. § 2.345(b))

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[Original signed by Nancy Greathead]

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Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 26<sup>th</sup> day of January 2009