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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY
DOCKETING & SERVICE
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In the Matter of)
)
VERMONT YANKEE NUCLEAR)
POWER CORPORATION)
)
(Vermont Yankee Nuclear Power)
Station))

Docket No. 50-271-OLA-2
(Testing Requirements for
ECCS and SLC Systems)

NRC STAFF MOTION FOR FURTHER EXTENSION OF TIME
IN WHICH TO RESPOND TO STATE OF VERMONT
AND COMMONWEALTH OF MASSACHUSETTS' PETITIONS TO INTERVENE

I. INTRODUCTION

On January 26, 1988, the Nuclear Regulatory Commission published in the Federal Register a notice of opportunity for prior hearing on a proposed amendment to revise the Technical Specifications in the Vermont Yankee Nuclear Power Station's license relating to the testing of the remaining train(s) of the Emergency Core Cooling (ECCS) and Standby Liquid Control (SLC) systems whenever one train has a component out of service. 53 Fed. Reg. 2114.

On February 25, 1988, the State of Vermont filed a "Petition of the State of Vermont for Leave to Intervene." Also on February 25, 1988, the Commonwealth of Massachusetts filed a "Request for a Hearing and Petition to Intervene with Respect to Vermont Yankee's Request to Eliminate Certain ECCs and SLCs Testing Requirements."

GRANTED
For the Licensing Board

BB05240381 880406
PDR ADOCK 05000271
G PDR

Charles Beckhoefer 4/11/88
Administrative Judge
D502

II. THE MOTION

The NRC staff has been pursuing a settlement agreement with the petitioners in the hope of resolving their concerns without the need for a hearing. On March 15, 1988, the Staff sought and was granted a one-week extension of time until March 23, 1988, in which to file its response to the intervention petitions. Memorandum and Order (Extension of Time/Miscellaneous Rulings), March 17, 1988. On March 22, 1988, the Staff filed a motion for a further extension until April 6, 1988, which was granted on March 23, 1988.

The parties have continued to pursue a settlement and have made substantial progress toward resolving this matter. Technical discussions have narrowed the issues and the Staff is preparing documents that it hopes will resolve the few issues that remain.

Wherefore, the Staff moves the Licensing Board to further extend the time for the filing of the Staff's response to the petition of the State of Vermont and the Commonwealth of Massachusetts by thirty days from April 6, until May 6, 1988. ^{1/}

^{1/} The Staff has filed a similar motion for further extension of time in another proceeding before another licensing board. That proceeding on OLA-3 concerns logic system functional testing.

Staff counsel telephoned Judge Bechhoefer on April 5, 1988 to indicate that the Staff would be filing the instant motion. Judge Bechhoefer indicated that the motion would be granted.

Counsel for the State and the Licensee have indicated to Staff counsel that they do not object to the granting of this motion. Staff counsel has not been able to reach counsel for the Commonwealth by telephone.

Respectfully submitted,

Ann P. Hodgdon

Ann P. Hodgdon
Counsel for NRC Staff

Dated at Rockville, Maryland
this 6th day of April, 1988

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

VERMONT YANKEE NUCLEAR POWER
CORPORATION
(Vermont Yankee Nuclear Power
Station)

Docket No.(s) 50-271-OLA-2

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB Granted - Staff Motion... have been served upon the following persons in accordance with the requirements of 10 CFR section 2.712.

Administrative Judge
Charles Bechhoefer, Chairman
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Administrative Judge
Glenn O. Bright
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
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Administrative Judge
James H. Carpenter
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Dated at Washington, D.C. this
1 day of January 1980


Office of the Secretary of the Commission