

November 7, 2005

Mr. Raymond Shadis  
Staff Technical Advisor  
New England Coalition  
Post Office Box 98  
Edgecomb, ME 04566

Dear Mr. Shadis:

This letter responds to the petition you filed with Mr. Luis Reyes, Executive Director for Operations at the Nuclear Regulatory Commission (NRC) pursuant to Section 2.206 of Title 10 of the *Code of Federal Regulations* (10 CFR 2.206) on December 7, 2004. In your petition, you requested that the NRC take immediate and decisive action to address the degraded alert and notification system at the Vermont Yankee Nuclear Power Station (Vermont Yankee). You requested that the NRC order Vermont Yankee to go into cold shutdown until Entergy Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. has provided a workable emergency warning system and until the NRC has verified the operability of that system.

By teleconference on January 6, 2005, you and two representatives from the organization Nuclear Free Vermont discussed the Petition with the NRC's Petition Review Board. This teleconference was transcribed and the transcript was treated as a supplement to the Petition.

The NRC staff sent a copy of the proposed Director's Decision to you and to the licensee for comment by letters dated May 24, 2005. You provided comments in a letter dated June 24, 2005. These comments are addressed in the memorandum enclosed with this letter. The comments did not change the conclusion of our proposed Director's Decision; at this time no additional action is necessary to address the licensee's performance related to the Emergency Preparedness cornerstone and, therefore, your petition is denied.

A copy of the Director's Decision (DD-05-03) will be filed with the Secretary of the Commission for the Commission to review in accordance with 10 CFR 2.206(c). As provided for by this regulation, the decision will constitute the final action of the Commission 25 days after the date of the decision unless the Commission, on its own motion, institutes a review of the decision within that time. The documents cited in the enclosed decision are available at the Commission's Public Document Room, at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland, or electronically from the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

R. Shadis

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I have also enclosed a copy of the notice of "Issuance of Director's Decision Under 10 CFR 2.206" that has been filed with the Office of the Federal Register for publication.

Please feel free to contact Mr. George Wunder, Petition Manager, at 301-415-1494 to discuss any questions related to this petition.

Sincerely,

**/RA/**

J. E. Dyer, Director  
Office of Nuclear Reactor Regulation

Docket No. 50-271

Enclosures: 1. Director's Decision 05-03  
2. Federal Register Notice  
3. Memorandum on Petitioner Comments

cc w/encls: See next page

R. Shadis

- 2 -

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Please feel free to contact Mr. George Wunder, Petition Manager, at 301-415-1494 to discuss any questions related to this petition.

Sincerely,

*/RA/*

J. E. Dyer, Director  
Office of Nuclear Reactor Regulation

Docket No. 50-271

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2. Federal Register Notice  
3. Memorandum on Petitioner Comments

cc w/encls: See next page

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ADAMS Accession Nos.:  
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Shadis Response: ML052850278  
Final Director's Decision: ML052860107  
Federal Register Notice: ML052860074  
Staff's Response: ML052980452

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CONCERNING 10 CFR 2.206 PETITION

Dated: November 7, 2005

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Vermont Yankee Nuclear Power Station

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