

January 17, 2006

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 ELEVENTH
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 eleventh 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 Tenth Status Report, filed on December 16, 2005,¹ the Staff reported, *inter alia*, that it had transmitted its draft Safety Evaluation Report ("SER")² to the Advisory Committee on Reactor Safeguards ("ACRS"), and attended various ACRS meetings held in November - December 2005. Further, the Staff reported that in a meeting held on December 10, 2005, the ACRS had voted unanimously to tentatively recommend approval of the Vermont Yankee EPU

¹ "NRC Staff's Tenth Status Report on Review Schedule," dated December 16, 2005 ("Tenth Status Report").

² The Staff transmitted its Draft SE to the Applicant on October 21, 2005, and issued proprietary and non-proprietary versions of the draft SE on November 2, 2005.

application in all respects, subject to the terms of a draft letter report which the ACRS then had under consideration.

Subsequent to issuance of the Staff's Tenth Status Report, the ACRS completed its review of the EPU application. In a letter to NRC Chairman Nils J. Diaz dated January 4, 2006 (ADAMS Accession No. ML060090125) (Attachment 1 hereto), ACRS Chairman Graham B. Wallis provided the ACRS's conclusions and recommendations regarding the proposed EPU license amendment. These were as follows:

1. The Entergy application for the extended power uprate at the Vermont Yankee Nuclear Power Station (VY) should be approved.
2. The change in the licensing basis associated with the requested containment overpressure credit should be approved.
3. Load rejection and main steam isolation valve closure transient tests are not warranted. The planned transient testing program adequately addresses the performance of the modified systems.
4. The times available to perform critical operator actions remain adequate under EPU conditions.
5. The margin added to the safety limit minimum critical power ratio (SLMCPR) is an appropriate interim measure until General Electric (GE) obtains additional data to complete the validation of nuclear analysis methods.
6. The monitoring that will be performed during the ascension to uprate power provides adequate assurance that, if resonant vibrational modes are induced in the steam dryer, they will be identified prior to component failure.
7. An enhanced, focused engineering inspection was performed. An additional expanded inspection is not warranted.
8. The review standard for extended power uprates (RS-001) provides a structured process for the review of applications for extended power uprates. Its continued use and improvement are encouraged.

The bases for the ACRS's conclusions and recommendations are set forth in its letter (see Attachment 1, at 2-7).

With the completion of the ACRS's review, the Staff's evaluation of the EPU application continues to proceed in accordance with its previously published schedule. In this regard, the Staff expects to meet the following schedule:

Issue Final Environmental Assessment ("EA")	February 7, 2006 ³
Issue Final SER:	February 24, 2006 ⁴

The Staff will be prepared to discuss the status of its review in the prehearing telephone conference to be held on January 24, 2006. In addition, the Staff will submit an updated report on the status of its review on or about February 16, 2006.

Respectfully submitted,

/RA/

Sherwin E. Turk
Counsel for NRC Staff

Dated at Rockville, Maryland
this 17th day of January, 2006

³ In the "NRC Staff's Ninth Status Report on Review Schedule," dated November 14, 2005, the Staff reported that it had published its draft EA for the EPU application on November 9, 2005. *Id.* at 2, *citing* "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). The Staff has completed its review of public comments submitted in response to the draft EA. The final EA is nearing completion at this time, and could be issued prior to the previously published date of February 7, 2006.

⁴ By letter dated January 5, 2006 (ADAMS Accession No. ML053490030), the Staff issued a Notice of Consideration of Issuance and Proposed No Significant Hazards Consideration ("NSHC") Determination regarding the proposed EPU application; the Notice was published in the *Federal Register* on January 11, 2006. See "Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc.; Notice of Consideration of Issuance of Amendment to Facility Operating License and Proposed No Significant Hazards Consideration Determination," 71 Fed. Reg. 1774 (Jan. 11, 2006). As indicated therein, comments on the Staff's proposed NSHC determination which are submitted by February 10, 2006, will be considered by the Staff in making a final NSHC determination.

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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S ELEVENTH 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 17th day of January, 2006.

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