

February 16, 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 TWELFTH
STATUS REPORT ON ITS 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 twelfth monthly status report concerning its ongoing review 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 Eleventh Status Report, filed on January 17, 2006,¹ the Staff reported, *inter alia*, that the Advisory Committee on Reactor Safeguards ("ACRS") had completed its review of the EPU license amendment application and had provided its conclusions and recommendations regarding the application to the Commission. Further, the Staff reported that its evaluation of the EPU application was proceeding on schedule, that it expected to issue its Final Environmental Assessment ("EA") before February 7, 2006, and that it expected to meet its scheduled date of February 24, 2006, for issuance of its Final Safety Evaluation ("SE"). This was confirmed in the telephone conference call held on January 24, 2006. Tr. 708-10.

¹ "NRC Staff's Eleventh Status Report on Review Schedule," dated January 17, 2006 ("Eleventh Status Report").

The Staff's review continues to proceed on schedule. The Staff's Final EA and "Finding of No Significant Impact" were published in the *Federal Register* on January 27, 2006.² During the past month, public comments were received by the Staff concerning its proposed "No Significant Hazards Consideration" ("NSHC") determination,³ and the Staff currently has those comments under consideration. The Staff expects to issue its evaluation of those comments, along with the Final SE, on or about February 24, 2006.⁴

Inasmuch as the Staff's review is now nearing completion, and all review documents have been or soon will be issued, the Staff believes that its obligation to provide monthly reports concerning its schedule for issuance of its review documents has been satisfied.⁵ Accordingly, the Staff does not currently expect to file further reports concerning the status of its review, unless otherwise requested or directed by the Licensing Board.

Respectfully submitted,

/RA/

Sherwin E. Turk
Counsel for NRC Staff

Dated at Rockville, Maryland
this 16th day of February, 2006

² "Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc.; Vermont Yankee Nuclear Power Station; Final Environmental Assessment and Finding of No Significant Impact Related to the Proposed License Amendment To Increase the Maximum Reactor Power Level," 71 Fed. Reg. 4614 (Jan. 27, 2006).

³ 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).

⁴ The Staff will transmit a paper copy of the Final SE by overnight mail to the Licensing Board and parties, and will provide notice of issuance by E-mail, in accordance with the Licensing Board's directions in the conference call of January 24, 2006 (Tr. 761-63).

⁵ See "Initial Scheduling Order" dated February 1, 2005, at 3.

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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S TWELFTH STATUS REPORT ON ITS 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 16th day of February, 2006.

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