

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

Before Administrative Judges:

William J. Froehlich, Chair
Dr. Michael F. Kennedy
Dr. Richard E. Wardwell

In the Matter of

ENTERGY NUCLEAR VERMONT YANKEE,
LLC, AND ENTERGY NUCLEAR
OPERATIONS, INC.

(Vermont Yankee Nuclear Power Station)

Docket No. 50-271-LA-3

ASLBP No. 15-940-03-LA-BD01

June 17, 2015

ORDER
(Scheduling Oral Argument)

Oral argument on contention admissibility will be held telephonically on Tuesday, July 7, 2015, at 2:00 p.m. EDT.¹ The Board expects that argument will conclude by 4:00 p.m. EDT. This order includes instructions concerning the format of oral argument and also identifies topics that counsel should be prepared to address.

The oral argument will proceed as follows. First, the Board will hear short opening statements, limited to five minutes each, from: (1) the Vermont Department of Public Service ("Vermont"); (2) Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. ("Entergy"); and (3) the NRC Staff. The Board expects that the majority of oral argument will consist of responses to the Board's questions. Although the parties should be prepared to

¹ See State of Vermont's Petition for Leave to Intervene and Hearing Request (Apr. 20, 2015); Entergy's Answer Opposing State of Vermont's Petition for Leave to Intervene and Hearing Request (May 15, 2015); NRC Staff Answer to State of Vermont Petition for Leave to Intervene and Hearing Request (May 15, 2015); The State of Vermont's Reply to NRC Staff and Entergy Answers to Petition for Leave to Intervene and Hearing Request (May 22, 2015).

answer questions relating to all matters in their pleadings, in particular they should anticipate addressing the following topics:

- Entergy's plan to comply with the requirement of 10 C.F.R. § 50.75(h)(1)(iv) that "[d]isbursements or payments from the trust [fund] . . . are restricted to decommissioning expenses."
- Whether any information about this plan should be included in the LAR.
- The timeline for the exemption request.
- Whether (and if so, when) the NRC Staff intends to perform any environmental review or make a finding that a categorical exclusion applies.

These topics are not intended to be exclusive. Time permitting, the Board will also hear short closing arguments from all of the parties.

The Board's law clerk, Nicole Pepperl, will contact the parties with the dial-in number and passcode for the July 7, 2015, oral argument. Members of the public or media who wish to listen to the oral argument may do so, and should contact Ms. Pepperl at (301) 415-6626 or Nicole.Pepperl@nrc.gov for the listen-in number.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

William J. Froehlich, Chair
ADMINISTRATIVE JUDGE

Rockville, Maryland
June 17, 2015

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NUCLEAR REGULATORY COMMISSION

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ENTERGY NUCLEAR VERMONT YANKEE, LLC) Docket No. 50-271-LA-3
AND ENTERGY NUCLEAR OPERATIONS, INC.)
)
(Vermont Yankee Nuclear Power Station))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (Scheduling Oral Argument)** have been served upon the following persons by the Electronic Information Exchange.

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DOCKET NO. 50-271-LA-3
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[Original signed by Brian Newell]
Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 17th day of June, 2015