

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

Before Administrative Judges:

William J. Froehlich, Chairman  
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

August 17, 2015

NOTICE

(Pursuant to 10 C.F.R. § 2.309(j))

The State of Vermont, represented by the Vermont Department of Public Service, challenges a license amendment request (“LAR”) filed by Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. (together “Entergy”) to remove certain license conditions on the decommissioning trust fund for Vermont Yankee Nuclear Power Station.<sup>1</sup> Vermont’s petition to intervene, filed April 20, 2015, contained four contentions. The parties briefed these four contentions,<sup>2</sup> and the Board heard oral argument on July 7, 2015.<sup>3</sup>

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<sup>1</sup> State of Vermont’s Petition for Leave to Intervene and Hearing Request (Apr. 20, 2015); see Letter from Christopher J. Wamser, Site Vice President, to Document Control Desk, NRC, Proposed Change No. 310 Deletion of Renewed Facility Operating License Conditions Related to Decommissioning Trust Provisions (Sept. 4, 2014) (ADAMS Accession No. ML14254A405).

<sup>2</sup> 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).

<sup>3</sup> Tr. at 1.

Meanwhile, Vermont moved for leave to file a new contention on July 6, 2015,<sup>4</sup> and the parties began a second round of briefing, which ended on August 7.<sup>5</sup>

The Board's decision granting or denying the petition to intervene and request for a hearing is due August 21.<sup>6</sup> The Board intends to address the original petition as well as the new contention in a single order. Therefore, the Board provides notice pursuant to 10 C.F.R. § 2.309(j)(1) that we anticipate issuing a decision on the petition to intervene and request for a hearing and the new contention which was filed on July 6, on or before August 31, 2015.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD

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William J. Froehlich, Chairman  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
August 17, 2015

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<sup>4</sup> State of Vermont's Motion for Leave to File a New Contention Including the Proposed New Contention and to Add Additional Bases and Support to Existing Contentions I, III, and IV (July 6, 2015).

<sup>5</sup> Entergy's Answer Opposing State of Vermont's New Contention V and Additional Bases for Pending Contentions I, III, and IV (July 31, 2015); NRC Staff's Answer to the State of Vermont's Motion for Leave to File New and Amended Contentions (July 31, 2015); State of Vermont's Reply in Support of Motion for Leave to File a New Contention and Add Bases and Support to Existing Contentions (Aug. 7, 2015).

<sup>6</sup> See 10 C.F.R. § 2.309(j)(1).

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In the Matter of )  
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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 **NOTICE (Pursuant to 10 C.F.R. § 2.309(j))** have been served upon the following persons by the Electronic Information Exchange.

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DOCKET NO. 50-271-LA-3  
**NOTICE (Pursuant to 10 C.F.R. § 2.309(j))**

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[Original signed by Clara Sola]  
Office of the Secretary of the Commission

Dated at Rockville, Maryland  
this 17<sup>th</sup> day of August, 2015