

August 13, 2018

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

**Before the Commission**

In the Matter of	)	
	)	
Entergy Nuclear Vermont Yankee, LLC,	)	
Entergy Nuclear Operations, Inc., and	)	Docket No. 50-271-LT-2
NorthStar Nuclear Decommissioning Company, LLC	)	
	)	
(Vermont Yankee Nuclear Power Station)	)	

**JOINT STATUS REPORT**

Pursuant to the Commission’s Memorandum and Order of April 12, 2018, CLI-18-03, Entergy Nuclear Operations Inc., on behalf of itself, Entergy Nuclear Vermont Yankee, LLC (“ENVY”) and NorthStar Nuclear Decommissioning Company, LLC (“NorthStar”) (together, “Applicants”), and the State of Vermont and the New England Coalition (together, “Participants”), hereby submits this Joint Status Report. The Commission’s April 12 Memorandum and Order held in abeyance the Participants’ requests for hearing and petitions to intervene in this license transfer proceeding based on Participants’ anticipated withdrawal from this proceeding pursuant to a Settlement Agreement<sup>1</sup> and pending further notification from the Applicants or Participants. That Settlement Agreement permitted a party to withdraw from the Settlement Agreement upon ten days’ written notice if the Vermont Public Utility Commission (“PUC”), which is currently reviewing the proposed sale of ENVY to NorthStar, materially alters the terms of the Settlement Agreement or does not issue an order approving the proposed sale by July 31, 2018. Thus, the period during

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<sup>1</sup> The Settlement Agreement was appended to the State of Vermont’s Notice of Anticipated Withdrawal of the State Petition for Leave to Intervene and Hearing Request (Mar. 7, 2018).

which a party might withdraw from the Settlement Agreement was expected to end on August 10, 2018. Consequently, the Commission's Memorandum and Order requires the Applicants and Participants to file a joint status report by no later than August 13, 2018.

The July 31, 2018, deadline in the Settlement Agreement reflected the parties' expectations that a final order from the PUC would be issued in advance of the NRC final order on Applicants' license transfer application. However, on July 6, 2018, the PUC announced that it would not issue a final order until after the NRC does so. PUC Docket 8880, *Procedural Order Re: Postponement of Decision on Joint Petition Pending Ruling by Nuclear Regulatory Commission* (June 6, 2018). An NRC spokesman has stated that the NRC staff is targeting to complete its review of the application by the end of the third quarter 2018. The Participants wish to preserve their ability to review the PUC order before withdrawing their hearing requests before the NRC. As a result, Applicants and the Participants have agreed to amend the Settlement Agreement to permit a party to withdraw from the Settlement Agreement upon ten days' written notice if a PUC order materially alters the terms of that Agreement or if the PUC does not issue an order approving the proposed sale of ENVY by October 31, 2018 (instead of July 31, 2018). A copy of the amendment is attached.

The Applicants and Participants support and commend to the Commission the Settlement Agreement, which includes important mechanisms to ensure funding for and oversight of the work that will promptly decommission and restore the site of the Vermont Yankee Nuclear Power Station. The Applicants and Participants respectfully request that the NRC approve the sale of ENVY and transfer of the NRC licenses consistent with the terms and conditions of the Settlement Agreement. The Applicants and Participants also request that the Commission continue to hold the Participants' hearing requests and intervention petitions in abeyance, and suggest that the parties submit an additional Joint Status Report by November 15, 2018. The Participants expect that the

Commission and PUC will issue decisions consistent with the Settlement Agreement by that date. Unless those decisions could have the effect of altering the Settlement Agreement to the material detriment of the Participants, the Participants anticipate that they will withdraw their hearing requests and intervention petitions at that time.

The Participants have reviewed this Joint Status Report. The State of Vermont has authorized Applicants to submit this Joint Status Report on its behalf, and the New England Coalition has authorized Applicants to represent that it has no objection to the Joint Status Report.

Respectfully submitted,

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*Executed in Accord with 10 C.F.R. § 2.304(d)*

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Dated: August 13, 2018.

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**CERTIFICATE OF SERVICE**

I certify that the foregoing “Joint Status Report” has been served through the NRC’s E-Filing System on the participants in the above-captioned proceeding, this 13th day of August, 2018.

Signed (electronically) by David R. Lewis  
David R. Lewis