

VERMONT YANKEE NUCLEAR POWER CORPORATION

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April 23, 2001
BVY 01-31

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555

Subject: Vermont Yankee Nuclear Power Station
License No. DPR-28 (Docket No. 50-271)
Proposed Change No. 246 – Facility Operating License Administrative Changes

Pursuant to 10CFR50.90, Vermont Yankee (VY) hereby proposes to amend its Facility Operating License (FOL) DPR-28, by incorporating the attached proposed change. This proposed change is an administrative update to remove environmental conditions that are redundant or fulfilled, to update conditions relating to interface arrangements between VY, the Massachusetts Department of Public Health and the Massachusetts Metropolitan District Commission, and to supplement the list of fire protection NRC Safety Evaluation Reports. In addition, this proposed change makes a number of editorial corrections and enhancements to the license.

Attachment 1 to this letter contains supporting information and the safety assessment for the proposed change. Attachment 2 contains the determination of no significant hazards consideration. Attachment 3 provides a mark-up of the current FOL pages. Attachment 4 provides the retyped FOL pages. Attachment 5 provides copies of letters updating the interface arrangements with the Massachusetts regulatory agencies.

VY has reviewed the proposed change in accordance with 10CFR50.92 and concludes that the proposed change does not involve a significant hazards consideration.

VY has also reviewed the proposed change against the criteria of 10CFR51.22 for environmental considerations and concludes that this proposed administrative change to the FOL will not increase the types and amounts of effluents that may be released off site. Thus, VY believes that the proposed change is eligible for categorical exclusion from the requirements for an environmental impact statement in accordance with 10CFR51.22(c)(9).

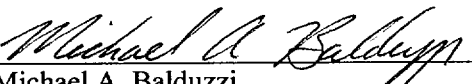
A001

VY requests that an amendment to the Facility Operating License incorporating this proposed change be issued by October 1, 2001 for implementation within 60 days of its effective date.

If you have any questions concerning this transmittal, please contact Mr. Brian Hobbs at (802) 258-4116.

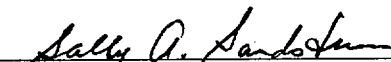
Sincerely,

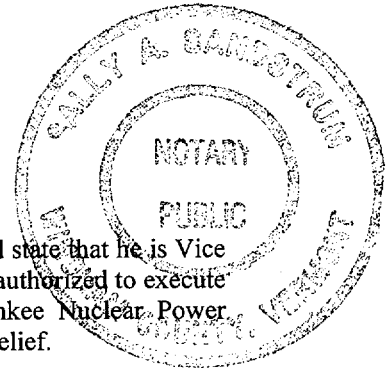
VERMONT YANKEE NUCLEAR POWER CORPORATION


Michael A. Balduzzi
Vice President, Operations

STATE OF VERMONT)
)ss
WINDHAM COUNTY)

Then personally appeared before me, Michael A. Balduzzi, who, being duly sworn, did state that he is Vice President, Operations of Vermont Yankee Nuclear Power Corporation, that he is duly authorized to execute and file the foregoing document in the name and on the behalf of Vermont Yankee Nuclear Power Corporation, and that the statements therein are true to the best of his knowledge and belief.


Sally A. Sandstrum, Notary Public
My Commission Expires February 10, 2003



Attachments

cc: USNRC Region 1 Administrator
 USNRC Resident Inspector – VYNPS
 USNRC Project Manager – VYNPS
 Vermont Department of Public Service

Attachment 1

Vermont Yankee Nuclear Power Station

Proposed Facility Operating License Change No. 246

Facility Operating License Administrative Changes

Supporting Information and Safety Assessment of Proposed Change

DESCRIPTION OF CHANGE

Vermont Yankee (VY) proposes to change the Facility Operating License (FOL) to remove environmental conditions that are redundant or fulfilled. This change will also update conditions of the interface arrangements between VY, the Massachusetts Department of Public Health (MDPH) and the Massachusetts Metropolitan District Commission (MDC). In addition, the change will supplement the list of fire protection NRC Safety Evaluation Reports (SER's). Finally, a number of editorial changes are proposed to correct and enhance the FOL. All proposed changes are administrative in nature.

The specific proposed changes to the FOL are:

- 1) On page 3, revise Paragraph 3 such that the first referenced Commission regulation will be changed from "10 CFR Parts 30" to "10 CFR Part 20".
- 2) On page 3, revise Paragraphs 3.A and 3.B, Technical Specifications references from "Appendices A and B" to "Appendix A".
- 3) On page 4, delete the text of paragraph 3.E.1. Insert the statement "This paragraph deleted by Amendment No. (this amendment number), (effective date of this amendment)" in place of the deleted text.
- 4) On pages 4 and 8, delete the contents of paragraphs 3.E.2, 3.H and 3.I, including previously deleted text and manual "strike-outs". Insert the statement "This paragraph deleted by Amendment No. 131, 10/7/91" in place of the deleted paragraph 3.E.2 contents. Insert the statement "This paragraph deleted by Amendment No. 107, 8/25/88" in place of the deleted paragraph 3.H contents. Insert the statement "This paragraph deleted by Amendment No. 131, 10/7/91" in place of the deleted paragraph 3.I contents.
- 5) On page 4, delete the text of paragraph 3.E.3. Insert the statement "This paragraph deleted by Amendment No. (this amendment number), (effective date of this amendment)" in place of the deleted text.
- 6) On page 4, insert the words "licensee's environmental" between the words "the" and "monitoring" in the first sentence of paragraph 3.E.4, and revise the last sentence to correctly spell the last word, "problem".
- 7) On pages 4, 5 and 6, delete the text of paragraphs 3.E.6, 3.E.7, 3.E.11 and 3.E.12. Insert the statement "This paragraph deleted by Amendment No. (this amendment number), (effective date of this amendment)" in place of the deleted text.
- 8) On page 5, revise the first sentence of paragraph 3.E.10 from "within sixty days of January 1st and July 1st" to "by May 15" and from "six months" to "calendar year". Delete subparagraph 3.E.10(h) and insert the statement "This paragraph deleted by Amendment No. (this amendment number), (effective date of this amendment)" in place of the deleted text. Revise subparagraph 3.E.10(j) from "Percent of technical specification limit" to "Percent of the facility Offsite Dose Calculation Manual limit".
- 9) Paragraph 3.F will be revised to add the following dates to the list of NRC SER's associated with fire protection, and order the entire list chronologically: 9/12/79, 4/15/80, 7/3/80, 11/10/81, 7/24/84, 12/1/86, 11/29/90, 8/30/95, 3/23/97, 3/6/98, 3/31/98.

- 10) Paragraph 3.E.1 will be revised to remove the "3.E." in front of the paragraph number. Paragraphs 3.G, 3.H and 3.I will each be revised to delete the "3." in front of the paragraph letter.

REASON AND BASES FOR CHANGE

Change #1:

Revising FOL paragraph 3 to reflect 10 CFR Part 20 will ensure the completeness of applicable regulations. Vermont Yankee is subject to 10 CFR Part 20, as specified in paragraph 3 of the original VY license. 10 CFR Part 30, Section 30.34, is already listed as an applicable regulation in this paragraph. This is an administrative change that makes an editorial correction.

Change #2:

Revising paragraphs 3.A and 3.B will result in accurate reflection that the only appendix to the FOL is Appendix A, Technical Specifications. Appendix B, Non-Radiological Environmental Technical Specifications, was removed from the FOL via Amendment 56, dated February 22, 1980. This is an administrative change that makes an editorial correction.

Change #3:

Deletion of paragraph 3.E.1 text will eliminate a license condition that is redundant to VY NPDES Permit condition A.6.d. FOL paragraph 3.E.1 was inserted via Amendment No. 40, dated November 21, 1977, in association with an update to the now-deleted Technical Specifications Appendix B. Appendix B, Non-Radiological Environmental Technical Specifications, was removed from the FOL via Amendment No. 56, dated February 22, 1980. This change was based on the acceptability of environmental monitoring requirements and effluent discharge limits specified in the VY NPDES permit. Since NPDES Permit A.6.d contains conditions in the event of complete loss of the cooling tower system similar to FOL paragraph 3.E.1, deletion of redundant paragraph 3.E.1 is appropriate. Citing the amendment that deleted this paragraph will provide a historical reference. This is an administrative change that removes a redundant environmental condition.

Change #4:

Deletion of the contents, including text with manual "strike-outs" of previously deleted paragraphs 3.E.2, 3.H and 3.I will enhance the appearance of the license. The contents of these paragraphs were deleted by Amendment No. 107 dated August 25, 1988, and Amendment 131 dated October 7, 1991. This is an administrative change that makes an editorial enhancement to the appearance of the FOL.

Change #5:

Deletion of the text of paragraph 3.E.3 will eliminate reference to a license condition that has been fulfilled. Paragraph 3.E.3 originally imposed the condition that VY define a comprehensive environmental (chemical, biological, and thermal) monitoring program for inclusion in the Technical Specifications. Such a program was defined and included as Appendix B, Non-Radiological Environmental Technical Specifications. Since the condition that VY define a comprehensive environmental monitoring program for inclusion in the Technical Specifications was fulfilled, deletion of paragraph 3.E.3 is appropriate. Citing the amendment that deleted this paragraph will provide a historical reference. This is an administrative change that removes a fulfilled environmental condition.

Change #6:

Revision of paragraph 3.E.4 to characterize the VY environmental monitoring program, is necessary as a result of proposed Change #5. Spelling the last word in this paragraph, “problem”, correctly will eliminate this error. This is an administrative change that enhances the context of this license condition and makes an editorial correction.

Change #7:

Deletion of the text of paragraphs 3.E.6, 3.E.7, 3.E.11 and 3.E.12 will eliminate obsolete license conditions. These paragraphs were originally included in the FOL based on a proposed Massachusetts plan to divert water from the Connecticut River to the Quabbin Reservoir, which supplies drinking water to Boston. Paragraph 3.E.11 specifically addresses the diversion plan proposed at the time the FOL was issued. This plan was never implemented and the Massachusetts MDPH and MDC have agreed to the removal of these conditions from the license. See Attachment 5 for copies of letters relating to the updated interface arrangement. Citing the amendment that deleted this paragraph will provide a historical reference. This is an administrative change that reflects updated interface arrangements with the Massachusetts regulatory agencies.

Change #8:

Revision of paragraph 3.E.10 to reflect annual submittal of a liquid effluent release report to the Massachusetts MDPH and MDC, will make the reporting periodicity consistent with federal reporting requirements. MDPH and MDC have agreed to this change from semi-annual to annual reporting frequency. Deletion of subparagraph 3.E.10(h) will eliminate the need for reporting average release concentration, a parameter that can be calculated from information contained in the annual effluent release report. MDPH and MDC have agreed to removal of this condition. See Attachment 5 for copies of letters relating to the updated interface arrangement. Citing the amendment that deleted this paragraph will provide a historical reference. Revision of subparagraph 3.E.10(j) to reflect that the activity release limit is now contained in the Offsite Dose Calculation Manual (ODCM) rather than the Technical Specifications, will provide the correct release limit reference source. This is an administrative change that reflects updated interface arrangements with Massachusetts regulatory agencies and makes an editorial correction.

Change #9:

Revision of paragraph 3.F to supplement the list of NRC SER's associated with fire protection, will result in a more complete list of references. Generic Letter 86-10 specifies that licenses contain a condition that lists the dates of initial and supplemental fire protection SER's. This is an administrative change that supplements references in this FOL condition.

Change #10:

Revision of paragraph 3.E.1 to remove the “3.E.” in front of the paragraph number, and paragraphs 3.G, 3.H and 3.I to remove the “3” in front of the paragraph letter, will enhance the format of the FOL. This is an administrative change that makes an editorial enhancement.

The proposed change represents good practice in maintaining a more accurate, complete and consistent FOL.

SAFETY ASSESSMENT

Changes #1, #2, #4, #6 and #10.

The editorial changes by definition have no consequences for safe plant operation.

Change #3.

The safety consequences of deleting paragraph 3.E.1 is acceptable since the condition specified therein is redundant to NPDES Permit condition A.6.d. The requested change is an administrative effort to remove environmental license conditions that are redundant to the NPDES Permit conditions and is consistent with Amendment 56, dated February 22, 1980.

Change #5.

The safety consequences of deleting paragraph 3.E.3 are acceptable since the condition was fulfilled when Appendix B, Non-Radiological Environmental Technical Specifications, was appended to the FOL. The requested change is an administrative effort to remove a fulfilled license condition.

Changes #7 and #8.

There are no safety consequences in deleting paragraphs 3.E.6, 3.E.7, 3.E.11 and 3.E.12, or revising paragraph 3.10.E. The conditions contained in these paragraphs involve VY's interaction with Massachusetts regulatory agencies only, and do not have an impact on any station operating limits or emergency action levels.

Change #9.

There are no safety consequences of supplementing the list of fire protection SER's in paragraph 3.F. This is an administrative change in order to establish a more complete list of fire protection program SER references.

On these bases, VY concludes that the proposed change will have no adverse impact on plant safety.

Attachment 2

Vermont Yankee Nuclear Power Station

Proposed Facility Operating License Change No. 246

Facility Operating License Administrative Changes

Determination of No Significant Hazards Consideration

Determination of No Significant Hazards Consideration

Pursuant to 10CFR50.92, VY has reviewed the proposed change and concludes that the change does not involve a significant hazards consideration since it satisfies the criteria in 10CFR50.92(c). The proposed Facility Operating License (FOL) change removes environmental conditions that are redundant or fulfilled, reflects updates to interface arrangements between VY and Massachusetts regulatory agencies, supplements the listing of fire protection NRC SER's, and makes editorial corrections and enhancements. As such, this change is purely administrative in nature.

1. The operation of Vermont Yankee Nuclear Power Station in accordance with the proposed amendment will not involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed change makes editorial changes and brings the FOL up to date with the expectations of Massachusetts regulatory agencies. Since reactor operation under the proposed amendment is unchanged, no design or analytical acceptance criteria will be exceeded. As such, this change does not impact initiators of analyzed events or assumed mitigation of accident or transient events. The structural and functional integrity of plant systems is unaffected. Thus, there is no significant increase in the probability or consequences of accidents previously evaluated.

2. The operation of Vermont Yankee Nuclear Power Station in accordance with the proposed amendment will not create the possibility of a new or different kind of accident from any accident previously evaluated.

The proposed change does not affect any parameters or conditions that could contribute to the initiation of any accident. No new accident modes are created. No safety-related equipment or safety functions are altered as a result of these changes. Because it does not involve any change to the plant or the manner in which it is operated, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. The operation of Vermont Yankee Nuclear Power Station in accordance with the proposed amendment will not involve a significant reduction in a margin of safety.

The proposed change does not affect design margins or assumptions used in accident analyses, and has no effect on any assumed analysis initial condition. The capability of safety systems to function and limiting safety system settings are similarly unaffected as a result of this change. Thus, the proposed change will not involve a significant reduction in a margin of safety.

Based upon the assessment provided herein, the proposed change will not increase the probability or consequences of any accident previously evaluated, create the possibility of a new or different kind of accident from any accident previously evaluated, or involve a reduction in a margin of safety. Therefore, the proposed change meets the criteria specified in 10 CFR50.92(c) and involves no significant hazards consideration.

Attachment 3

Vermont Yankee Nuclear Power Station

Proposed Facility Operating License Change No. 246

Facility Operating License Administrative Changes

Marked-up Version of the Current Operating License

1

20

E. Pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not to separate, such byproduct and special nuclear material as may be produced by operation of the facility.

3. This license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations: 10 CFR Part ~~30~~ Section 30.34 of 10 CFR Part 30, Section 40.41 of 10 CFR Part 40, Section 50.54 and 50.59 of 10 CFR Part 50, and Section 70.32 of 10 CFR Part 70; and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified below:

A. Maximum Power Level

Vermont Yankee is authorized to operate the facility at reactor core power levels not to exceed 1593 megawatts thermal in accordance with the Technical Specifications (Appendices A ~~and B~~) appended hereto.

B. Technical Specifications

The Technical Specifications contained in Appendixes A ~~and~~ B, as revised through Amendment (*), are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

C. Reports

Vermont Yankee shall make reports in accordance with the requirements of the Technical Specifications.

D. Records

Vermont Yankee shall keep facility operating records in accordance with the requirements of the Technical Specifications.

E. Environmental Conditions

Pursuant to the Initial Decision of the presiding Atomic Safety and Licensing Board issued February 27, 1973, the following conditions for the protection of the environment are incorporated herein:

(*) The most recent NRC approved and docketed License Amendment.

This paragraph deleted by Amendment No. —, —.

-4-

This paragraph deleted by Amendment No. 131, 10/7/91.

3.E.1.

If, during power operation, an unexpected failure results in a complete loss of coolant tower system, the above closed cycle restriction may be modified to permit an orderly shutdown using the main condenser as a heat sink in the open cycle mode. In this event, the plant shall be reduced below 25 percent power operation as rapidly as possible and shutdown within twenty-four hours.

Deleted -
Amendment
No. 131

2. ~~The total residual chlorine concentration will be limited to 0.1 ppm in the immediate vicinity of the plant discharge, and such limit on chlorine discharge shall continue until evaluation of test results, which may permit a change if approved by the Commission.~~

3. ~~Vermont Yankee will define a comprehensive environmental (chemical, biological, and thermal) monitoring program for inclusion in the Technical Specifications, which is acceptable to the Commission for determining changes which may occur in land and water ecosystems as a result of plant operation.~~

4. If harmful effects or evidence of irreversible damage in land or water ecosystems as a result of facility operation are detected by the monitoring program, Vermont Yankee shall provide an analysis of the problem to the Commission and to the advisory group for the Technical Specifications, and Vermont Yankee thereafter will provide, subject to the review by the aforesaid advisory group, a course of action to be taken immediately to alleviate the problem.

licensee's
environmental

5. Vermont Yankee will grant authorized representatives of the Massachusetts Department of Public Health (MDPH) and Metropolitan District Commission (MDC) access to records and charts related to discharge of radioactive materials to the Connecticut River.

6. ~~Prior to discharge of each tank (batch) of liquid radioactive effluents, a representative sample thereof shall be collected and held for independent analysis by the Commonwealth of Massachusetts. Authorized representatives of the Commonwealth shall pick up such samples at the plant site.~~

This paragraph deleted by Amendment No. _____

7. ~~Vermont Yankee will furnish advance notification of each scheduled calibration of liquid effluent monitors to MDPH and MDC and upon request, will permit authorized representatives of the Commonwealth of Massachusetts to be present during such calibrations.~~

8. Vermont Yankee will permit authorized representatives of the MDPH and MDC to examine the chemical and radioactivity analyses performed by Vermont Yankee.

9. Vermont Yankee shall immediately notify MDPH, or an agency designated by MDPH, in the event concentrations of radioactive materials in liquid effluents, measured at the point of release from Vermont Yankee, exceed the limit set forth in the facility Offsite Dose Calculation Manual. Vermont Yankee will also notify MDPH in writing within 30 days following the release of radioactive materials in liquid effluents in excess of 10 percent of the limit set forth in the facility Offsite Dose Calculation Manual.

10. A report shall be submitted to MDPH and MDC ^{by May 15} ~~within sixty days~~ of January 1st and July 1st of each year of plant operation, specifying the total quantities of radioactive materials released to the Connecticut River during the previous ^{calendar} ~~six~~ year months. The report shall contain the following information:

- (a) Total curie activity discharged other than tritium and dissolved gases.
- (b) Total curie alpha activity discharged.
- (c) Total curies of tritium discharged.
- (d) Total curies of dissolved radio-gases discharged.
- (e) Total volume (in gallons) of liquid waste discharged.

This paragraph deleted by Amendment No. —, —.

- 6 -

(f) Total volume (in gallons) of dilution water.

(g) Average concentration at discharge outfall.

(h) ~~Time, date and duration of maximum concentration released (average over the period of release).~~

(i) Total radioactivity (in curies) released by nuclide including dissolved radio-gases.

(j) Percent of ~~technical specification~~ limit for total activity released.

the facility
on-site Dose
Calculation
Manual

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11. ~~Upon notification by MDPH or MDC that all plans and construction for the diversion of water from the Connecticut River to recharge Quabbin Reservoir have been completed, Vermont Yankee shall establish a system of communication and notification, satisfactory to MDPH and MDC, to give adequate warning to the appropriate agency or agencies of the Commonwealth of Massachusetts of any accidental discharge of radioactive materials into the Connecticut River from the facility.~~

12. ~~Upon notification in writing by MDPH or MDC that water from the Connecticut River is being diverted to recharge Quabbin Reservoir, Vermont Yankee shall submit to both MDPH and MDC, until receipt of notification that such diversion has been terminated, monthly reports of liquid radioactive releases.~~

13. Vermont Yankee shall establish and maintain a system of emergency notification to the states of Vermont and New Hampshire, and the Commonwealth of Massachusetts, satisfactory to the appropriate public health and public safety officials of those states and the Commonwealth, which provides for:

a. Notice of site emergencies as well as general emergencies.

b. Direct microwave communication with the state police headquarters of the respective states and the Commonwealth when the transmission facilities of the respective states and the Commonwealth so permit, at the expense of Vermont Yankee.

- c. A verification or coding system for emergency messages between Vermont Yankee and the state police headquarters of the respective states and the Commonwealth.

14. Vermont Yankee shall furnish advance notification to MDPH, or to another Commonwealth agency designated by MDPH, of the time, method and proposed route through the Commonwealth of any shipments of nuclear fuel and wastes to and from the Vermont Yankee facility which will utilize railways or roadways in the Commonwealth.

F. Vermont Yankee shall implement and maintain in effect all provisions of the approved Fire Protection Program as described in the Final Safety Analysis Report for the facility and as approved in the SER dated January 13, 1978, and supplemental SERs, dated 2/20/80, 10/24/80, 1/13/83, 3/25/86, 12/8/89, 6/9/97, 8/12/97, 9/2/98, and 2/24/99, subject to the following provisions:

Vermont Yankee may make changes to the approved Fire Protection Program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

Security Plan

The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, guard training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10CFR73.55 (51FR27817 and 27822) and to the authority of 10CFR50.90 and 10CFR50.54(p). The plans, which contain Safeguards Information protected under 10CFR73.21, are entitled: "Vermont Yankee Nuclear Power Station Physical Security Plan," with revisions submitted through March 16, 1988; "Vermont Yankee Nuclear Power Station Training and Qualification Plan," with revisions submitted through November 10, 1982; and "Vermont Yankee Nuclear Power Station Safeguards Contingency Plan," with revisions submitted through December 30, 1985. Changes made in accordance with 10CFR73.55 shall be implemented in accordance with the schedule set forth therein.

This paragraph deleted by Amendment No. 107, 8/25/88.

[Paragraph H is located on page 8]

9/12/79,

4/15/80,

7/3/80,

11/10/81,

7/24/84,

12/1/86,

11/29/90,

8/30/95,

3/23/97,

3/6/98,

3/31/98,

A-168
2.24.99

A-107
8.25.88
10.20.88

Added per Amdt. #107

3.H

Guard Training and Qualification Plan

The licensee shall fully implement and maintain in effect all provisions of the Commission-approved Guard Training and Qualification Plan, including amendments and changes made pursuant to the authority of 10 CFR 50.54(p). The approved plan consists of documents withheld from public disclosure pursuant to 10 CFR 73.21 identified as Vermont Yankee Nuclear Power Corporation Training and Qualification Plan for Security, dated March 19, 1982. This plan shall be implemented, in accordance with 10 CFR 73.55(b) (4), within 60 days after approval by the Commission. The licensee may make changes to this plan without prior Commission approval if the changes do not decrease the safeguards effectiveness of the plan. The licensee shall maintain records of and submit reports concerning such changes in the same manner as required for changes made to the Safeguards Contingency Plan pursuant to 10 CFR 50.54(p).

DELETED
PER
AMDT #
107
8-25-88

H. Inservice Inspection

In accordance with the provisions of 10 CFR 50.12(a) an exemption from the provisions of 10 CFR 50.55a(g) is granted, and the effective date for the start of the next 40-month period as it relates to inservice inspection is extended from July 30, 1979 to January 30, 1980.


Deleted
Amendment
NO. 131

*Renumbered per
Amdt. #71, 6-9-80*

This paragraph deleted by Amendment No. 131, 10/7/91.

4. This license is effective as of the date of issuance and shall expire at midnight on March 21, 2012. Amdt. #127,
12-17-90

FOR THE ATOMIC ENERGY COMMISSION

for 
A. Giambusso, Deputy Director
for Reactor Projects
Directorate of Licensing

Enclosures:
Appendix A Technical Specifications

Date of Issuance:

Feb. 28, 1973

Docket No. 50-271

BVY 01-31

Attachment 4

Vermont Yankee Nuclear Power Station

Proposed Facility Operating License Change No. 246

Facility Operating License Administrative Changes

Retyped Operating License Pages

Listing of Affected Operating License Pages

Replace the Vermont Yankee Nuclear Power Station Operating License pages listed below with the revised pages. The revised pages contain vertical lines in the margin indicating the areas of change.

Remove

3
4
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6
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Insert

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Vermont Yankee Nuclear Power Corporation

(Vermont Yankee Nuclear Power Station)

Docket No. 50-271

Facility Operating License

License No. DPR-28
Amendment No. 5

The Atomic Energy Commission (the Commission) having found that:

- a. Construction of the Vermont Yankee Nuclear Power Station (the facility) has been substantially completed in conformity with the application, as amended, the Provisional Construction Permit No. CPPR-36, the provisions of the Atomic Energy Act of 1954, as amended (the Act), and the rules and regulations of the Commission as set forth in Title 10, Chapter 1, CFR; and
- b. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission; and
- c. There is reasonable assurance (i) that the activities authorized by this amended operating license can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the rules and regulations of the Commission; and
- d. The Vermont Yankee Nuclear Power Corporation (Vermont Yankee) is technically and financially qualified to engage in the activities authorized by this amended operating license, in accordance with the rules and regulations of the Commission; and
- e. Vermont Yankee has satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements" of the Commission's regulations; and
- f. The issuance of this amended operating license will not be inimical to the common defense and security or to the health and safety of the public; and

- g. After weighing the environmental, economic, technical and other benefits of the facility against environmental costs and considering available alternatives, the issuance of this amended operating license (subject to the conditions for protection of the environment set forth herein) is in accordance with 10 CFR Part 50, Appendix D, of the Commission's regulations and all applicable requirements of said Appendix D have been satisfied.

Accordingly, Facility Operating License No. DPR-28, as amended, issued to Vermont Yankee Nuclear Power Corporation (Vermont Yankee), is hereby amended in its entirety to read:

1. This license applies to the Vermont Yankee Nuclear Power Station (the facility), a single cycle, boiling water, light water moderated and cooled reactor, and associated electric generating equipment. The facility is located on Vermont Yankee's site, in the Town of Vernon, Windham County, Vermont, and is described in the application as amended.
2. Subject to the Conditions and requirements incorporated herein, the Commission hereby licenses the applicant:
 - A. Pursuant to Sections 104b of the Atomic Energy Act of 1954, as amended (the Act), and 10 CFR Part 50, "Licensing of Production and Utilization Facilities," to possess, use, and operate the facility as a utilization facility at the designated location on the Vermont Yankee site.
 - B. Pursuant to the Act and 10 CFR Part 70, to receive, possess, and use at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation as described in the Final Safety Analysis Report, as supplemented and amended.
 - C. Pursuant to the Act and 10 CFR Parts 30, 40 and 70 to receive, possess, and use at any time any byproduct, source, and special nuclear material as sealed neutron sources for reactor startup, sealed sources for calibration of reactor instrumentation and radiation monitoring equipment, and as fission detectors in amounts as required.
 - D. Pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess, and use in amounts as required any byproduct, source, or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components.

A-31
2/14/77

A-31
2/14/77

A-31
2/14/77

E. Pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not to separate, such byproduct and special nuclear material as may be produced by operation of the facility.

3. This license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations: 10 CFR Part 20, Section 30.34 of 10 CFR Part 30, Section 40.41 of 10 CFR Part 40, Section 50.54 and 50.59 of 10 CFR Part 50, and Section 70.32 of 10 CFR Part 70; and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified below:

A. Maximum Power Level

Vermont Yankee is authorized to operate the facility at reactor core power levels not to exceed 1593 megawatts thermal in accordance with the Technical Specifications (Appendix A) appended hereto.

B. Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment ^(*), are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

C. Reports

Vermont Yankee shall make reports in accordance with the requirements of the Technical Specifications.

D. Records

Vermont Yankee shall keep facility operating records in accordance with the requirements of the Technical Specifications.

E. Environmental Conditions

Pursuant to the Initial Decision of the presiding Atomic Safety and Licensing Board issued February 27, 1973, the following conditions for the protection of the environment are incorporated herein:

(*) The most recent NRC approved and docketed License Amendment.

1. This paragraph deleted by Amendment No. _____, _____.
2. This paragraph deleted by Amendment No. 131, 10/7/91.
3. This paragraph deleted by Amendment No. _____, _____.
4. If harmful effects or evidence of irreversible damage in land or water ecosystems as a result of facility operation are detected by the licensee's environmental monitoring program, Vermont Yankee shall provide an analysis of the problem to the Commission and to the advisory group for the Technical Specifications, and Vermont Yankee thereafter will provide, subject to the review by the aforesaid advisory group, a course of action to be taken immediately to alleviate the problem.
5. Vermont Yankee will grant authorized representatives of the Massachusetts Department of Public Health (MDPH) and Metropolitan District Commission (MDC) access to records and charts related to discharge of radioactive materials to the Connecticut River.
6. This paragraph deleted by Amendment No. _____, _____.

7. This paragraph deleted by Amendment No. _____, _____.
8. Vermont Yankee will permit authorized representatives of the MDPH and MDC to examine the chemical and radioactivity analyses performed by Vermont Yankee.
9. Vermont Yankee shall immediately notify MDPH, or an agency designated by MDPH, in the event concentrations of radioactive materials in liquid effluents, measured at the point of release from Vermont Yankee, exceed the limit set forth in the facility Offsite Dose Calculation Manual. Vermont Yankee will also notify MDPH in writing within 30 days following the release of radioactive materials in liquid effluents in excess of 10 percent of the limit set forth in the facility Offsite Dose Calculation Manual.
10. A report shall be submitted to MDPH and MDC by May 15 of each year of plant operation, specifying the total quantities of radioactive materials released to the Connecticut River during the previous calendar year. The report shall contain the following information:
 - (a) Total curie activity discharged other than tritium and dissolved gases.
 - (b) Total curie alpha activity discharged.
 - (c) Total curies of tritium discharged.
 - (d) Total curies of dissolved radio-gases discharged.
 - (e) Total volume (in gallons) of liquid waste discharged.

- (f) Total volume (in gallons) of dilution water.
 - (g) Average concentration at discharge outfall.
 - (h) This paragraph deleted by Amendment No. _____, _____.
 - (i) Total radioactivity (in curies) released by nuclide including dissolved radio-gases.
 - (j) Percent of the facility Offsite Dose Calculation Manual limit for total activity released.
11. This paragraph deleted by Amendment No. _____, _____.
12. This paragraph deleted by Amendment No. _____, _____.
13. Vermont Yankee shall establish and maintain a system of emergency notification to the states of Vermont and New Hampshire, and the Commonwealth of Massachusetts, satisfactory to the appropriate public health and public safety officials of those states and the Commonwealth, which provides for:
- a. Notice of site emergencies as well as general emergencies.
 - b. Direct microwave communication with the state police headquarters of the respective states and the Commonwealth when the transmission facilities of the respective states and the Commonwealth so permit, at the expense of Vermont Yankee.

- c. A verification or coding system for emergency messages between Vermont Yankee and the state police headquarters of the respective states and the Commonwealth.

14. Vermont Yankee shall furnish advance notification to MDPH, or to another Commonwealth agency designated by MDPH, of the time, method and proposed route through the Commonwealth of any shipments of nuclear fuel and wastes to and from the Vermont Yankee facility which will utilize railways or roadways in the Commonwealth.

- F. Vermont Yankee shall implement and maintain in effect all provisions of the approved Fire Protection Program as described in the Final Safety Analysis Report for the facility and as approved in the SER dated January 13, 1978, and supplemental SERs, dated 9/12/79, 2/20/80, 4/15/80, 7/3/80, 10/24/80, 11/10/81, 1/13/83, 7/24/84, 3/25/86, 12/1/86, 12/8/89, 11/29/90, 8/30/95, 3/23/97, 6/9/97, 8/12/97, 3/6/98, 3/31/98, 9/2/98, and 2/24/99, subject to the following provisions:

A-168
2/24/99

Vermont Yankee may make changes to the approved Fire Protection Program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

G. Security Plan

A-107
8/25/88
10/20/88

The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, guard training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10CFR73.55 (51FR27817 and 27822) and to the authority of 10CFR50.90 and 10CFR50.54(p). The plans, which contain Safeguards Information protected under 10CFR73.21, are entitled: "Vermont Yankee Nuclear Power Station Physical Security Plan," with revisions submitted through March 16, 1988; "Vermont Yankee Nuclear Power Station Training and Qualification Plan," with revisions submitted through November 10, 1982; and "Vermont Yankee Nuclear Power Station Safeguards Contingency Plan," with revisions submitted through December 30, 1985. Changes made in accordance with 10CFR73.55 shall be implemented in accordance with the schedule set forth therein.

H. This paragraph deleted by Amendment No. 107, 8/25/88.

I. This paragraph deleted by Amendment No. 131, 10/7/91.

4. This license is effective as of the date of issuance and shall expire at midnight on March 21, 2012.

A-127
12/17/90

FOR THE ATOMIC ENERGY COMMISSION

A. Giambusso, Deputy Director
for Reactor Projects
Directorate of Licensing

Enclosures:
Appendix A Technical Specifications

Date of Issuance:
Feb. 28, 1973

Attachment 5

Vermont Yankee Nuclear Power Station

Proposed Facility Operating License Change No. 246

Facility Operating License Administrative Changes

Letters from Massachusetts Regulatory Agencies Updating Interface Arrangements



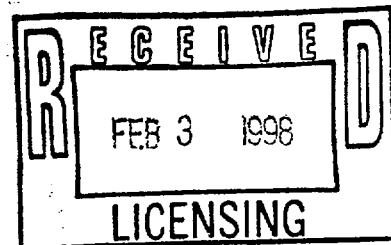
The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Radiation Control Program
305 South Street, Jamaica Plain, MA 02130
(617) 727-6214 (617) 727-2098 - Fax

ARGEO PAUL CELLUCCI
GOVERNOR

WILLIAM D. O'LEARY
SECRETARY

HOWARD K. KOH, MD, MPH
COMMISSIONER

January 28, 1998



Bernard R. Buteau
Licensing Manager
Vermont Yankee Nuclear
Power Corporation
185 Old Ferry road
Brattleboro, VT 05301-7002

Dear Mr. Buteau:

This letter is in reference to your letter of November 7, 1997, concerning the Vermont Yankee initial license requirements.

Please accept my apologies for my lengthy delay in responding to your letter; however, I must admit that it was necessary for us to reach far back into the recesses of our collective memories to try to figure out why these types of issues were part of the Vermont Yankee initial licensing requirements. After lengthy discussions with some of the senior members of the Radiation Control Program, I believe that I have been able to recover some of the history involved here.

It appears that the principal reason for these requirements back in the late 1970s (prior to my becoming Director of the Radiation Control Program) apparently were connected to the possibility of a diversion of the Connecticut River into the Quabbin Reservoir by the Metropolitan District Commission. Since it is now 1998, I think it is safe to assume that this diversion is not going to take place. This being the case, we have reviewed the sections of the license requirements that pertain to the Massachusetts Department of Public Health and suggest that the following items can be deleted from the licensing requirements: 3.E.6, 3.E.7, 3.E.11 and 3.E.12.

However, in the interest of continuing to ensure access for the Massachusetts Department of Public Health to records and charts related to discharges, etc., and also to keep open the door of communication and information flow, we would appreciate your maintaining the other remaining items; namely, 3.E.5, 3.E.8, 3.E.9, and 3.E.10.

We trust the above satisfactorily addresses your concerns and if you have any questions pertaining to this letter, please call me, or Tom O'Connell of my staff, at 617-727-6214.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert M. Hallisey".

Robert M. Hallisey, Director
Radiation Control Program

:pjd

cc: Tom O'Connell



The Commonwealth of Massachusetts
Metropolitan District Commission

Division of Watershed Management

20 SOMERSET STREET
BOSTON, MA 02108



ARGEO PAUL CELLUCCI
GOVERNOR

JANE SWIFT
LT. GOVERNOR

BOB DURAND
SECRETARY

DAVID B. BALFOUR, JR.
COMMISSIONER

TELEPHONE: (617) 727-5274
FACSIMILE: (617) 727-8301
www.state.ma.us/mdc

ENVY 00-50

May 26, 2000

Wayne M. Limberger
Quality Assurance Manager
Vermont Yankee Nuclear Power Corporation
185 Old Ferry Road
Brattleboro, VT 05301-7002

RE: Vermont Yankee Initial License Requirements

Dear Mr. Limberger:

While I, like my counterparts at Massachusetts DPH, am apologetic regarding the length of time required to analyze the nature and extent of your February 10, 2000, please understand that this is not a subject associated with any degree of institutional memory or one easily amenable to finding historic files.

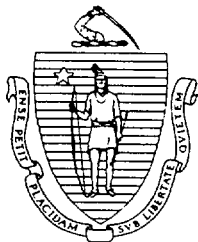
Having reviewed the information provided and having had the opportunity to review the response submitted by DPH in this matter, I concur that the recommended items can be deleted from the licensing requirements for this facility. I would also concur with my colleagues at DPH regarding the continued maintenance of sections 3.E.5, 8, 9 and 10.

I trust that this response is sufficient for your current purposes. Should you have any further issues to discuss, please feel welcome to contact me directly.

Very truly yours,

Joseph M. McGinn, Esq.
Director

Cc: William Brutsch, Director, MWRA Waterworks
Bernie O'Malley, Commissioner's Office



The Commonwealth of Massachusetts
Metropolitan District Commission

Division of Watershed Management

20 SOMERSET STREET
BOSTON, MA 02108

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COMMISSIONER

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FACSIMILE: (617) 727-8301

www.state.ma.us/mdc

April 9, 2001

Gautam Sen
Licensing Manager
Vermont Yankee Nuclear Power Corporation
185 Old Ferry Road
PO Box 7002
Brattleboro, VT 05302-7002

RE: Vermont Yankee Operating License Condition Revision
Liquid Effluent Release Reporting to Metropolitan District Commission

Dear Mr. Sen:

This letter is in response to your correspondence dated March 12, 2001 requesting two minor revisions to reporting conditions stipulated in the current Vermont Yankee Operating License. Operating License condition 3.E.10 provides for liquid effluent release reporting on a semi-annual basis in addition to condition 3.E.10.(h) which provides for notice including the time, date and duration of maximum concentrations released (averaged over the period of the release). Your proposed revisions would modify the reporting requirement to an annual report referred to as the VY annual Radioactive Effluent Release Report which would include information otherwise required by condition 3.E.10.(h), thereby eliminating the need for a separate report under this condition. The proposed revisions are further outlined in Attachment A, submitted with your request.

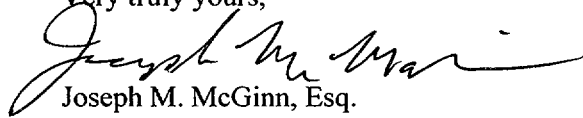
I have reviewed the material submitted and consent to the requested revisions as requested and shown in the Attachment A submission referenced above.

Please plan to submit the Annual Report by May 15 incorporating the revised reporting requirements in accordance with your stated schedule.

Please contact me should you have any further questions regarding this matter.



Very truly yours,

A handwritten signature in cursive script, appearing to read "Joseph M. McGinn".

Joseph M. McGinn, Esq.

Director

Metropolitan District Commission

Division of Watershed Management

Cc: Brian Hobbs, Vermont Yankee



JANE SWIFT
GOVERNOR

WILLIAM D. O'LEARY
SECRETARY

HOWARD K. KOH, MD, MPH
COMMISSIONER

The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Radiation Control Program
174 Portland Street, 5th Floor, Boston, MA 02114
(617) 727-6214 (617) 727-2098 - Fax

April 19, 2001

Gautam Sen
Licensing Manager
Vermont Yankee Nuclear Power Corp.
185 Old Perry Road
P.O. Box 7002
Brattleboro, VT 05302-7002

RE: VY Operating License Condition 3.E.10

Dear Mr. Sen:

The Radiation Control Program (RCP) has reviewed the information contained in your letter dated March 9, 2001 pertaining to the suggested changes to condition 3.E.10 of the Vermont Yankee (VY) Operating License. The U.S. Nuclear Regulatory Commission is the licensing authority for the operating license granted to VY.

In addition to the information contained in your letter, information pertaining to these suggested changes has also been obtained through conversations between Brian Hobbs, Senior Licensing Engineer for VY, and Thomas F. O'Connell of my staff.

The RCP understands that the suggested changes to the VY Operating License would not effect the RCP's ability to obtain the plant data relative to the discharge of radioactive liquid effluents from the VY nuclear power station.

The RCP also understands that it will receive a copy of the annual report that contains the data pertaining to the release of radioactive effluents from the VY facility. This report will be submitted, as required in Title 10 of the Code of Federal Regulations, by VY to the U.S. Nuclear Regulatory Commission by May 15 of each year.

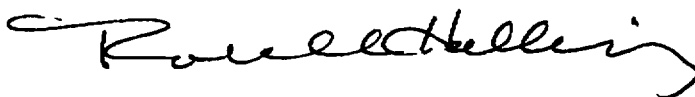
VY's proposal to change the Operating License condition 3.E.10 from a semi-annual reporting of the radioactive effluents to the MDPH (Massachusetts Department of Public Health) and the MDC (Metropolitan District Commission) to an annual reporting

Requirement is consistent with the current U.S. Nuclear Regulatory Commission requirements contained within Title 10 Code of Federal Regulations Part 50.36a and Appendix 1.

Based on this information, the RCP, as well as the MDC, concurs with the request to change the VY Operating License conditions contained within 3.E.10.

If you have any questions in regards to this issue, please do not hesitate to contact Thomas F. O'Connell of my staff at 617.983.6891.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert M. Hallisey", with a stylized flourish at the end.

Robert M. Hallisey, Director
Radiation Control Program

Cc: US NRC-Resident Inspector
VY Nuclear Power Station

Chronological File