

October 22, 2001

Mr. Michael A. Balduzzi  
Senior Vice President and Chief Nuclear Officer  
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SUBJECT: VERMONT YANKEE NUCLEAR POWER STATION - ISSUANCE OF  
AMENDMENT RE: ENHANCEMENTS TO OPERATING LICENSE (TAC NO.  
MB1854)

Dear Mr. Balduzzi:

The Commission has issued the enclosed Amendment No. 206 to Facility Operating License DPR-28 for the Vermont Yankee Nuclear Power Station, in response to your application dated

The amendment updates Facility Operating License No. DPR-28 by deleting obsolete information, correcting errors, and making administrative changes to enhance the context and provide consistency.

A copy of the related Safety Evaluation is also enclosed. Notice of Issuance will be included in the Commission's biweekly Federal Register notice.

Sincerely,

**/RA/**

Robert M. Pulsifer, Project Manager, Section 2  
Project Directorate I  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket No. 50-271

Enclosures: 1. Amendment No. 206 to  
License No. DPR-28  
2. Safety Evaluation

cc w/encls: See next page

Vermont Yankee Nuclear Power Station

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VERMONT YANKEE NUCLEAR POWER CORPORATION

DOCKET NO. 50-271

VERMONT YANKEE NUCLEAR POWER STATION

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 206  
License No. DPR-28

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment filed by the Vermont Yankee Nuclear Power Corporation (the licensee) dated April 23, 2001, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
  - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
  - C. There is reasonable assurance: (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
  - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the Operating License is amended as indicated in the attachment to this license amendment.
3. This license amendment is effective as of its date of issuance and shall be implemented within 60 days.

FOR THE NUCLEAR REGULATORY COMMISSION

***/RA/***

James W. Clifford, Chief, Section 2  
Project Directorate I  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Attachment: Changes to the Operating  
License

Date of Issuance: October 22, 2001

ATTACHMENT TO LICENSE AMENDMENT NO. 206

FACILITY OPERATING LICENSE NO. DPR-28

DOCKET NO. 50-271

Replace the following pages of the Facility Operating License with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

<u>Remove</u>	<u>Insert</u>
3	3
4	4
5	5
6	6
7	7
8	8

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION  
RELATED TO AMENDMENT NO. 206 TO FACILITY OPERATING LICENSE NO. DPR-28

VERMONT YANKEE NUCLEAR POWER CORPORATION

VERMONT YANKEE NUCLEAR POWER STATION

DOCKET NO. 50-271

### 1.0 INTRODUCTION

By letter dated April 23, 2001, the Vermont Yankee Nuclear Power Corporation (the licensee) submitted a request to amend the Vermont Yankee Nuclear Power Station (VY) Facility Operating License (FOL) No. DPR-28. The proposed amendment would revise the FOL to update the license by deleting obsolete information, correcting errors, and making administrative changes to enhance the context and provide consistency.

### 2.0 BACKGROUND

When FOL DPR-28, was issued to the licensee along with subsequent amendments, the NRC staff deemed certain issues essential to safety and/or essential to meeting certain regulatory interests. These issues were imposed as license conditions in the FOL. Since the unit was licensed to operate in the 1970s, most of these license conditions have been fulfilled or have changed. For the license conditions that have been fulfilled, the licensee proposed to delete them from the FOL. The license conditions that are incorrect or need to be updated are being changed.

The licensee also proposed changes to correct administrative errors such as misspelled words, to delete documents being referenced, and to provide clarifying information such as identifying deleted license conditions with the applicable amendment number and date and providing consistent paragraph identification.

The fire protection license condition will also be changed to reflect an updated list of applicable Nuclear Regulatory Commission (NRC) safety evaluation reports.

### 3.0 EVALUATION

The licensee requested a change to the FOL, Paragraph 3 on page 3, regarding the apparent misidentification of the regulations in that 10 CFR Part 30 should read 10 CFR Part 20. Our official record copy of page 3 contains the requested change; thus, no change is required. The attached page 3 does not have a change bar for this proposed change.

The licensee requested a change to FOL, Paragraphs 3.A and 3.B to reflect that the only appendix to the FOL is Appendix A, Technical Specifications. Appendix B, Non-Radiological

Environmental Technical Specifications was removed by Amendment No. 56 dated February 22, 1980. The reference to Appendix B was eliminated from Paragraph 3.B in the official record copy when Amendment 56 was issued, however, it remained in Paragraph 3.A. Based on the above, this change has already been accomplished for Paragraph 3.B and is acceptable for Paragraph 3.A. The words "Appendices A and B" will be changed to "Appendix A." The attached page 3 does not have a change bar for the proposed Paragraph 3.B change.

The licensee has requested that Paragraph 3.E.1 text on page 4, be deleted because it is redundant to the National Pollutant Discharge Elimination System (NPDES) Permit condition A.6.d for VY. Amendment No. 40 dated November 21, 1977, added this paragraph to allow the use of open-cycle cooling to shut the plant down in the event of a failure of the closed-cycle cooling system. NPDES condition A.6.d contains similar conditions as Paragraph 3.E.1 in that if an unexpected failure results in a complete loss of the cooling system an orderly shutdown not to exceed 24 hours is permitted by utilizing the main condenser as a heat sink and operating in an open-cycle mode. Amendment No. 56 had removed Appendix B from the FOL because it was redundant to the NPDES and that water quality limits are outside the NRC's jurisdiction and authority. The words, "This paragraph deleted by Amendment No. 206, October 22, 2001" added to provide a historical reference. Because this paragraph is similar to the NPDES and the NPDES sets forth conditions for water discharge, it is acceptable to delete the text of Paragraph 3.E.1.

Paragraph 3.E.2 on page 4, paragraph 3.H on page and paragraph 3.I on page 8 were previously deleted by Amendment No. 131, dated October 7, 1991, Amendment No. 107, dated August 25, 1988, and Amendment No. 131, dated October 7, 1991, respectively. When deleted these paragraphs were struck-out but not removed from the FOL. To provide an enhanced appearance the licensee proposes to remove the struck-out text and insert the amendment number and date of the amendment approving the deletion. This is an administrative change that will provide a historical reference; therefore, it is acceptable.

The text for paragraph 3.E.3 on page 4 required that VY define a comprehensive environmental monitoring program. The licensee proposes to delete this text because it was defined in Appendix B which was subsequently removed from the FOL by Amendment No. 56, dated February 22, 1980. The words, "This paragraph deleted by Amendment No. 206, October 22, 2001" are added to provide a historical reference. See the next change for paragraph 3.E.4 regarding clarification as to the characterization of the environmental monitoring program. This administrative change is acceptable because the environmental monitoring program had been defined in Appendix B.

The licensee proposes to revise paragraph 3.E.4 to specifically characterize the monitoring program as the licensee's environmental monitoring program. The preceding change for paragraph 3.E.3 deleted the license condition requiring that an environmental monitoring program be defined because it had been defined in Appendix B. This change will help characterize the licensee's environmental monitoring program by emphasizing that the monitoring program mentioned in paragraph 3.E.4 is the licensee's environmental monitoring program. The last word in paragraph 3.E.4, "probelm," is misspelled and is being corrected to be "problem." These changes are administrative changes in nature to correct a misspelling and to more explicitly define the monitoring program as the licensee's environmental monitoring program and are, therefore, acceptable.

The licensee proposes to delete the text of paragraphs 3.E.6 on page 4, 3.E.7 on page 5, and 3.E.11 and 3.E.12 on page 6 to eliminate obsolete license conditions. These license conditions were based on a proposed Massachusetts plan to divert water from the Connecticut River to the Quabbin Reservoir, which is used to provide drinking water to Boston, Massachusetts. This plan was not implemented and the licensee's letter dated April 23, 2001, contains letters from the Commonwealth of Massachusetts Department of Public Health (MDPH) dated January 28, 1998, and the Metropolitan District Commission (MDC) dated May 26, 2000, that agree with this change. The words "This paragraph deleted by Amendment No. 206, October 22, 2001" are added to provide a historical reference for paragraphs 3.E.6, 3.E.7, 3.E.11, and 3.E.12. Because this change which has been approved by the MDPH and MDC deletes obsolete license conditions and a historical reference will be added to track this deletion, this change is acceptable.

Paragraph 3.E.10 on page 5 is being changed to reflect an annual submittal of a liquid effluent release report to the MDPH and MDC. In letters dated April 19 and April 9, 2001, MDPH and MDC, respectively concurred with this change.

Paragraph 3.E.10 currently states: "A report shall be submitted to MDPH and MDC within sixty days of January 1<sup>st</sup> and July 1<sup>st</sup> of each year of plant operation, specifying the total quantities of radioactive materials released to the Connecticut River during the previous six months."

Paragraph 3.E.10 is changed to state: "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."

This change will make the reporting consistent with current Federal requirements for an annual reporting frequency and was approved by the MDPH and MDC, is administrative in nature, and, therefore, is acceptable.

Subparagraph 3.E.10(h) will be deleted to eliminate the reporting of average release concentration because it can be calculated from information in the annual effluent release report. This change was also approved by the MDPH and MDC. The words, "This paragraph deleted by Amendment No. 206, October 22, 2001" are added to provide a historical reference for paragraph 3.E.10. This change approved by the MDPH and MDC is administrative in nature and is acceptable.

Subparagraph 3.E.10(j) will be changed to indicate the correct location of the activity release limit which is in the Offsite Dose Calculation Manual (ODCM) and not the Technical Specifications. This change reflects the accurate location of the release limit and is administrative in nature; therefore, the change is acceptable.

Paragraph 3.F on page 7 provides a listing of all safety evaluations that VY must implement and maintain in effect with their approved Fire Protection Program. The licensee is revising this list by adding additional safety evaluations to make the list more comprehensive. The following safety evaluation dates will be added: 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, and 3/31/98. This change will ensure applicable safety evaluations are identified so that the VY Fire Protection Program is up-to-date with all staff-approved safety evaluations; therefore, this change is acceptable.

Paragraph identification is inconsistent throughout the FOL. The licensee proposes to remove the "3.E" from paragraph 3.E.1 identification and to remove the "3" from paragraphs 3.G, 3.H and 3.I identification. This is an administrative change and will make paragraph identification consistent; therefore, this change is acceptable.

### 3.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Vermont State official was notified of the proposed issuance of the amendment. The State official had no comments.

### 4.0 ENVIRONMENTAL CONSIDERATION

Pursuant to 10 CFR 51.21, 51.32, and 51.35, an Environmental Assessment and Finding of No Significant Impact was published in the *Federal Register* on October 19, 2001 (66 FR 53269). Accordingly, based on the Environmental Assessment, the Commission has determined that issuance of this amendment will not have a significant effect on the quality of the human environment.

### 5.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: Robert M. Pulsifer

Date: October 22, 2001