

July 31, 2002

Mr. Michael A. Balduzzi  
Senior Vice President and Chief Nuclear Officer  
Vermont Yankee Nuclear Power Corporation  
185 Old Ferry Road  
P.O. Box 7002  
Brattleboro, VT 05302-7002

SUBJECT: VERMONT YANKEE NUCLEAR POWER STATION - ISSUANCE OF  
AMENDMENT RE: TRANSFER OF OWNERSHIP AND OPERATING  
AUTHORITY UNDER FACILITY OPERATING LICENSE FROM VERMONT  
YANKEE NUCLEAR POWER CORPORATION TO ENTERGY NUCLEAR  
VERMONT YANKEE, LLC AND ENTERGY NUCLEAR OPERATIONS, INC.  
(TAC NO. MB5291)

Dear Mr. Balduzzi:

By Order dated May 17, 2002, the U.S. Nuclear Regulatory Commission (NRC) approved the transfer of the license for the Vermont Yankee Nuclear Power Station (VY), to the extent held by Vermont Yankee Nuclear Power Corporation (VYNPC), to Entergy Nuclear Vermont Yankee Limited Liability Company (Entergy Nuclear VY) and Entergy Nuclear Operations, Inc. (ENO), and approved the conforming amendment pursuant to Sections 50.80 and 50.90 of Title 10 of the *Code of Federal Regulations*.

The May 17, 2002, Order was based in part on the premise that the VYNPC interests would be transferred to Entergy Nuclear VY and ENO by May 30, 2003. By letter dated July 22, 2002, VYNPC, Entergy Nuclear VY, and ENO notified the NRC that the closing of the license transfer is anticipated to occur on July 31, 2002. Also by letter dated July 30, 2002, the staff was informed that all required regulatory approvals had been obtained.

Accordingly, the Commission has issued the enclosed Amendment No. 208 to Facility Operating License No. DPR-28 for VY. The conforming amendment reflects the transfer of VYNPC's ownership of VY to Entergy Nuclear VY and ENO. The safety evaluation supporting the conforming amendment was enclosed with the Order issued on May 17, 2002.

Enclosure 2 contains three copies of Indemnity Agreement No. B-49, which is required in connection with the transfer of the license. Please keep two copies for your records and sign and return the other copy.

M. Balduzzi

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Notice of issuance will be included in the Commission's biweekly *Federal Register* Notice.

Sincerely,

**/RA T. Tate for/**

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. 208 to  
License No. DPR-28  
2. Indemnity Agreement

cc w/encls: See next page

Vermont Yankee Nuclear Power Station

cc:

Regional Administrator, Region I  
U. S. Nuclear Regulatory Commission  
475 Allendale Road  
King of Prussia, PA 19406

Mr. David R. Lewis  
Shaw, Pittman, Potts & Trowbridge  
2300 N Street, N.W.  
Washington, DC 20037-1128

Ms. Christine S. Salembier, Commissioner  
Vermont Department of Public Service  
112 State Street  
Montpelier, VT 05620-2601

Mr. Michael H. Dworkin, Chairman  
Public Service Board  
State of Vermont  
112 State Street  
Montpelier, VT 05620-2701

Chairman, Board of Selectmen  
Town of Vernon  
P.O. Box 116  
Vernon, VT 05354-0116

Mr. Michael Hamer  
Operating Experience Coordinator  
Vermont Yankee Nuclear Power Station  
P.O. Box 157  
320 Governor Hunt Road  
Vernon, VT 05354

G. Dana Bisbee, Esq.  
Deputy Attorney General  
33 Capitol Street  
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Chief, Safety Unit  
Office of the Attorney General  
One Ashburton Place, 19th Floor  
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Ms. Deborah B. Katz  
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Shelburne Falls, MA 01370

Mr. Raymond N. McCandless  
Vermont Department of Health  
Division of Occupational  
and Radiological Health  
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Burlington, VT 05402

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

Resident Inspector  
Vermont Yankee Nuclear Power Station  
U. S. Nuclear Regulatory Commission  
P.O. Box 176  
Vernon, VT 05354

Director, Massachusetts Emergency  
Management Agency  
ATTN: James Muckerheide  
400 Worcester Rd.  
Framingham, MA 01702-5399

Jonathan M. Block, Esq.  
Main Street  
P. O. Box 566  
Putney, VT 05346-0566

M. Balduzzi

- 2 -

Notice of issuance will be included in the Commission's biweekly *Federal Register* Notice.

Sincerely,

**/RA T. Tate for/**

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. 208 to License No. DPR-28
- 2. Indemnity Agreement

cc w/encls: See next page

DISTRIBUTION:

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PDI-2 R/F  
S. Richards  
J. Zimmerman  
R. Pulsifer  
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OGC  
G. Hill (2)  
R. Dennig  
ACRS  
C. Anderson, RI

Accession Number: ML022100395

OFFICE	PDI-2/PM	PDI-2/LA	PDI-2/SC(A)	
NAME	TTate for RPulsifer	TClark	JZimmerman	
DATE	7/30/02	7/25/02	7/31/02	

OFFICIAL RECORD COPY

VERMONT YANKEE NUCLEAR POWER CORPORATION

DOCKET NO. 50-271

VERMONT YANKEE NUCLEAR POWER STATION

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 208  
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 October 5, 2001, as supplemented by letters dated November 7 and 8, 2001, and January 23 and April 30, 2002, 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, Facility Operating License No. DPR-28 is hereby 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/***

Samuel J. Collins, Director  
Office of Nuclear Reactor Regulation

Attachment: Changes to the Operating  
License and Technical Specifications

Date of Issuance: July 31, 2002

ATTACHMENT TO LICENSE AMENDMENT NO. 208

FACILITY OPERATING LICENSE NO. DPR-28

DOCKET NO. 50-271

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

Remove

Facility Operating License pages 1 through 9  
Cover page for Appendix A  
Page 253 of Appendix A

Insert

Facility Operating License pages 1 through 9  
Cover page for Appendix A  
Page 253 of Appendix A

Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc.

(Vermont Yankee Nuclear Power Station)

Docket No. 50-271

Facility Operating License

License No. DPR-28  
Amendment No. 5, 208

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 (1) 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. Entergy Nuclear Vermont Yankee, LLC is financially qualified and Entergy Nuclear Operations, Inc. 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. Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. have 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 Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. 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 Entergy Nuclear Vermont Yankee, LLC'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:
  - 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," Entergy Nuclear Vermont Yankee, LLC to possess and use, and Entergy Nuclear Operations, Inc., to possess, use, and operate the facility as a utilization facility at the designated location on the Entergy Nuclear Vermont Yankee, LLC site.
  - B. Entergy Nuclear Operations, Inc., 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. Entergy Nuclear Operations Inc., 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. Entergy Nuclear Operations Inc., 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

E. Entergy Nuclear Operations Inc., 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

Entergy Nuclear Operations, Inc. 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. Entergy Nuclear Operations, Inc. shall operate the facility in accordance with the Technical Specifications.

C. Reports

Entergy Nuclear Operations, Inc. shall make reports in accordance with the requirements of the Technical Specifications.

D. Records

Entergy Nuclear Operations, Inc. 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:

1. This paragraph deleted by Amendment No. 206, October 22, 2001.
  
2. This paragraph deleted by Amendment 131, 10/07/91.
  
3. This paragraph deleted by Amendment No. 206, October 22, 2001.
  
4. If harmful effects or evidence of irreversible damage in land or water ecosystems as a result of facility operation are detected by Entergy Nuclear Operations, Inc.'s environmental monitoring program, Entergy Nuclear Operations, Inc. shall provide an analysis of the problem to the Commission and to the advisory group for the Technical Specifications, and Entergy Nuclear Operations, Inc. 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. Entergy Nuclear Operations, Inc. 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. 206, October 22, 2001.

7. This paragraph deleted by Amendment No. 206, October 22, 2001.
  
8. Entergy Nuclear Operations, Inc. will permit authorized representatives of the MDPH and MDC to examine the chemical and radioactivity analyses performed by Entergy Nuclear Operations, Inc.
  
9. Entergy Nuclear Operations, Inc. 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 the Vermont Yankee facility, exceed the limit set forth in the facility Offsite Dose Calculation Manual. Entergy Nuclear Operations, Inc. 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. 206, October 22, 2001.

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

(j) Percent of facility Offsite Dose Calculation Manual limit for total activity released.

11. This paragraph deleted by Amendment No. 206, October 22, 2001.

12. This paragraph deleted by Amendment No. 206, October 22, 2001.

13. Entergy Nuclear Operations, Inc. 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 Entergy Nuclear Operations, Inc.

c. A verification or coding system for emergency messages between Entergy Nuclear Operations, Inc. and the state police headquarters of the respective states and the Commonwealth.

14. Entergy Nuclear Operations, Inc. 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. Entergy Nuclear Operations, Inc. 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:

Entergy Nuclear Operations, Inc. 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

Entergy Nuclear Operations, Inc. 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.

A-168  
2/24/99

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

H. This paragraph deleted by Amendment 107, 8/25/88.

I. This paragraph deleted by Amendment 131, 10/7/91.

J. License Transfer Conditions

On the closing date of the transfer of Vermont Yankee Nuclear Power Station (Vermont Yankee), Entergy Nuclear Vermont Yankee, LLC shall obtain from Vermont Yankee Nuclear Power Corporation all of the accumulated decommissioning trust funds for the facility, and ensure the deposit of such funds into a decommissioning trust for Vermont Yankee established by Entergy Nuclear Vermont Yankee, LLC. If the amount of such funds does not meet or exceed the minimum amount required for the facility pursuant to 10 CFR 50.75, Entergy Nuclear Vermont Yankee, LLC shall at such time deposit additional funds into the trust and/or obtain a parent company guarantee (to be updated annually) and/or obtain a surety pursuant to 10 CFR 50.75(e)(1)(iii) in a form acceptable to the NRC and in an amount or amounts which, when combined with the decommissioning trust funds for the facility that have been obtained and deposited as required above, equals or exceeds the total amount required for the facility pursuant to 10 CFR 50.75. The decommissioning trust, and surety if utilized, shall be subject to or be consistent with the following requirements, as applicable:

a. Decommissioning Trust

- (i) The decommissioning trust agreement must be in a form acceptable to the NRC.
- (ii) With respect to the decommissioning trust funds, investments in the securities or other obligations of Entergy Corporation and its affiliates, successors, or assigns shall be prohibited. In addition, except for investments tied to market indexes or other non-nuclear-sector mutual funds, investments in any entity owning one or more nuclear power plants are prohibited.
- (iii) The decommissioning trust agreement must provide that no disbursements or payments from the trust, other than for ordinary administrative expenses, shall be made by the trustee until the trustee has first given the NRC 30 days prior written notice of payment. The decommissioning trust agreement shall further contain a provision that no disbursements or payments from the trust shall be made if the trustee receives prior written notice of objection from the Director of the Office of Nuclear Reactor Regulation.
- (iv) The decommissioning trust agreement must provide that the agreement cannot be amended in any material respect without 30 days prior written notification to the Director of the Office of Nuclear Reactor Regulation.
- (v) The appropriate section of the decommissioning trust agreement shall state that the trustee, investment advisor, or anyone else directing the investments made in the trust shall adhere to a "prudent investor" standard, as specified in 18 CFR 35.32(a)(3) of the Federal Energy Regulatory Commission's regulations.

b. Surety

- (i) The surety agreement must be in a form acceptable to the NRC and be in accordance with all applicable NRC regulations.
- (ii) The surety company providing any surety obtained to comply with the Order approving the transfer shall be one of those listed by the U.S. Department of the Treasury in the most recent edition of Circular 570 and shall have a coverage limit sufficient to cover the amount of the surety.
- (iii) Entergy Nuclear Vermont Yankee, LLC shall establish a standby trust to receive funds from the surety, if a surety is obtained, in the event that Entergy Nuclear Vermont Yankee, LLC defaults on its funding obligations for the decommissioning of Vermont Yankee. The standby trust agreement must be in a form acceptable to the NRC, and shall conform with all conditions otherwise applicable to the decommissioning trust agreement.
- (iv) The surety agreement must provide that the agreement cannot be amended in any material respect, or terminated, without 30 days prior written notification to the Director of the Office of Nuclear Reactor Regulation.

Entergy Nuclear Vermont Yankee, LLC shall take all necessary steps to ensure that the decommissioning trust is maintained in accordance with the application for approval of the transfer of this license to Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc., and the requirements of the Order approving the transfer, and consistent with the safety evaluation supporting the Order.

Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. shall take no action to cause Entergy Global Investments, Inc., or Entergy International Holdings Ltd. LLC, or their parent companies to void, cancel, or modify the lines of credit to provide funding for Vermont Yankee as represented in the application without prior written consent of the Director of the Office of Nuclear Reactor Regulation.

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
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FOR THE ATOMIC ENERGY COMMISSION

Original Signed By  
Roger S. Boyd /f/

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

Enclosures:  
Appendix A Technical Specifications

Date of Issuance:  
Feb. 28, 1973

Amendment No. 208

APPENDIX A  
TO  
OPERATING LICENSE DPR-28  
TECHNICAL SPECIFICATIONS  
AND BASES  
FOR  
VERMONT YANKEE NUCLEAR POWER STATION  
VERNON, VERMONT  
ENTERGY NUCLEAR OPERATIONS, INC.  
AND  
ENTERGY NUCLEAR VERMONT YANKEE, LLC  
DOCKET NO. 50-271

Reissued by  
Change Nos. 13, 15, and 17  
Dated 1/17/74, 1/28/74, and 4/10/74

## VYNPS

### 5.0 DESIGN FEATURES

#### 5.1 Site

The station is located on the property on the west bank of the Connecticut River in the Town of Vernon, Vermont, which Entergy Nuclear Vermont Yankee, LLC either owns or to which it has perpetual rights and easements. The site plan showing the exclusion area boundary, boundary for gaseous effluents, boundary for liquid effluents, as well as areas defined per 10CFR20 as "controlled areas" and "unrestricted areas" are on plant drawing 5920-6245. The minimum distance to the boundary of the exclusion area as defined in 10CFR100.3 is 910 feet.

No part of the site shall be sold or leased and no structure shall be located on the site except structures owned by Entergy Nuclear Vermont Yankee, LLC or related utility companies and used in conjunction with normal utility operations.

#### 5.2 Reactor

- A. The core shall consist of not more than 368 fuel assemblies.
- B. The reactor core shall contain 89 cruciform-shaped control rods. The control material shall be boron carbide powder ( $B_4C$ ) or hafnium, or a combination of the two.

#### 5.3 Reactor Vessel

The reactor vessel shall be as described in Table 4.2-3 of the FSAR. The applicable design codes shall be as described in subsection 4.2 of the FSAR.

#### 5.4 Containment

- A. The principal design parameters and applicable design codes for the primary containment shall be as given in Table 5.2.1 of the FSAR.
- B. The secondary containment shall be as described in subsection 5.3 of the FSAR and the applicable codes shall be as described in Section 12.0 of the FSAR.
- C. Penetrations to the primary containment and piping passing through such penetrations shall be designed in accordance with standards set forth in subsection 5.2 of the FSAR.

#### 5.5 Spent and New Fuel Storage

- A. The new fuel storage facility shall be such that the effective multiplication factor ( $K_{eff}$ ) of the fuel when dry is less than 0.90 and when flooded is less than 0.95.
- B. The  $K_{eff}$  of the fuel in the spent fuel storage pool shall be less than or equal to 0.95.
- C. Spent fuel storage racks may be moved (only) in accordance with written procedures which ensure that no rack modules are moved over fuel assemblies.