



Entergy Nuclear Northeast
Entergy Nuclear Operations, Inc.
Vermont Yankee
185 Old Ferry Rd.
P.O. Box 500
Brattleboro, VT 05302
Tel 802-257-5271

November 4, 2004

Vermont Yankee
Docket No. 50-271

BVY 04-121

ATTN: Document Control Desk
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Confirmation of Implementation of April 29, 2003, Orders to Vermont Yankee Nuclear Power Station

- References: (1) Entergy Nuclear Operations, Inc. letter to U.S. Nuclear Regulatory Commission dated October 18, 2004 regarding Second Updated Submittal of Security Plan (TAC No. MC2984), BVY 04-115
- (2) U.S. Nuclear Regulatory Commission letter to Entergy Nuclear Operations, Inc. dated October 28, 2004 regarding Vermont Yankee Nuclear Power Station - Administrative Change to Facility Operating License in Conjunction With the Commission Order EA-03-086 Regarding Revised Design Basis Threat (DBT); and Revisions to Physical Security Plan, Training and Qualification Plan, and Safeguards Contingency Plan (TAC No. MC2984), NVY 04-111

The NRC issued Orders dated April 29, 2003: EA-03-038, *Order for Compensatory Measures Related to Fitness-For-Duty Enhancements Applicable to Nuclear Facility Security Force Personnel*; EA-03-039, *Order for Compensatory Measures Related to Training Enhancements on Tactical and Firearms Proficiency and Physical Fitness Applicable to Armed Nuclear Power Plant Security Force Personnel*; and EA-03-086, *Order Requiring Compliance with Revised Design Basis Threat* (collectively referred to as "Orders") for the Vermont Yankee Nuclear Power Station (VY). In addition to other requirements, the Orders required nuclear power plant licensees to revise their physical security plans, safeguards contingency plans, and security force training and qualification plans; submit those plans to the NRC for approval by April 29, 2004; and complete implementation of those plans by October 29, 2004, unless a request for a schedule extension for one or more elements of those plans was approved by the NRC.

NSI ROS

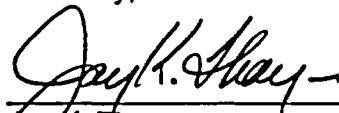
On October 18, 2004, Entergy Nuclear Operations, Inc., (ENO) filed a Supplemental Response to Order EA-03-086 that contained the Physical Security Plan, the Contingency Plan, and the Training and Qualification Plan as required by Order EA-03-086 for VY (Reference 1). By letter dated October 28, 2004, the NRC issued a Safety Evaluation Report documenting NRC review and acceptance of those plans (Reference 2). Section III.C. of Order EA-03-086 required ENO to advise the NRC when implementation of the NRC approved physical security plans, safeguards contingency plans, and general training and qualification plans has been accomplished. Section III.C.2. of Order EA-03-39 required ENO to advise the NRC when full compliance with the requirements in Attachment 2 to that Order, has been achieved.

ENO hereby certifies that those conditions have been met and the exercise of enforcement discretion pursuant to the Orders during the transition period will no longer be necessary.

This letter contains no new commitments.

I declare under penalty of perjury that the foregoing is true and correct. Executed on November 4, 2004.

Sincerely,



Jay K. Thayer
Site Vice President
Entergy Nuclear Operations, Inc
Vermont Yankee Nuclear Power Station

cc: Mr. Richard B. Ennis, Project Manager
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation
Mail Stop O 8 B1
Washington, DC 20555

Mr. Samuel J. Collins
Regional Administrator, Region 1
U.S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406-1415

USNRC Resident Inspector
Entergy Nuclear Vermont Yankee, LLC
320 Governor Hunt Road (*for package delivery*)
P.O. Box 157 (*for mail delivery*)
Vernon, Vermont 05354

Mr. David O'Brien, Commissioner
VT Department of Public Service
112 State Street – Drawer 20
Montpelier, Vermont 05620-2601