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June 14, 2005

BVY 05-065  
Docket No. 50-271  
License No. DPR-28

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

**SUBJECT: Vermont Yankee Nuclear Power Station  
Response to Request for Information Regarding  
Updated Final Safety Analysis Report, Appendix F**

- References:
1. Letter, USNRC to Entergy Nuclear Operations, Inc. "Vermont Yankee Nuclear Power Station – Request for Information RE: Revision to Updated Final Safety Analysis Report, Appendix F (TAC No. MC5541)", dated May 13, 2005
  2. Letter (BVY 97-23), VYNPC to USNRC "Vermont Yankee Response to Request for Information Pursuant to 10 CFR 50.54(f) Regarding Adequacy and Availability of Design Basis Information," dated February 14, 1997

By letter dated May 13, 2005 (Reference 1), the NRC notified Entergy Nuclear Operations, Inc. (ENO) of the need for certain information relating to the Vermont Yankee Nuclear Power Station (VY) Updated Final Safety Analysis Report (UFSAR). Attachment 1 to this correspondence provides ENO's response to the requested information.

ENO believes that it has fully responded to the referenced request. If, however, the NRC requires additional or clarifying information, ENO is prepared to work with the Staff to address any remaining issues.

New commitments identified in this letter are provided in Attachment 2.

Should you have any questions in this matter, please contact Mr. James M. DeVincentis at 802-258-4236.

Sincerely,

  
\_\_\_\_\_  
Jay K. Thayer  
Site Vice President  
Vermont Yankee Nuclear Power Station

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Attachments (2)

cc: Mr. Richard B. Ennis, Project Manager  
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Mr. Samuel J. Collins  
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Mr. David O'Brien, Commissioner  
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**Attachment 1**

**Vermont Yankee Nuclear Power Station  
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Updated Final Safety Analysis Report, Appendix F  
Response to NRC's Request for Information**

Response to NRC's Request for Information

By letter dated May 13, 2005, the NRC requested additional information to determine whether Vermont Yankee Nuclear Power Station's (VY) Updated Final Safety Analysis Report (UFSAR) Appendix F (Appendix F) has been maintained in compliance with 10 CFR 50.71(e). Entergy Nuclear Operations, Inc.'s (ENO) responses to the NRC Staff's request for information are provided below.

Request No. 1

***Explain how the designation of Appendix F as historical meets the guidance contained in NEI-98-03 and meets the intent of 10 CFR 50.71(e) regarding maintenance of design basis information.***

Response to Request No. 1

VY was designed and constructed to satisfy the proposed 70 General Design Criteria for Nuclear Power Plant Construction Permits issued in July 1967 (Draft GDC). As stated in the original VY Final Safety Analyses Report (FSAR) the purpose of Appendix F was to:

“...show that the design and construction of the Vermont Yankee Nuclear Power Station has been performed in accordance with these general design criteria...”

A review of 10 CFR 50.34 “Contents of applications; technical information,” 10CFR50.2 “Definitions” and 10 CFR 50.71 “Maintenance of Records, Making of Reports revealed the following regulatory requirements:

10 CFR 50.34(b) “...The final safety analysis report shall include information that describes the facility, presents the *design basis* and the limits on its operation, and presents a safety analysis of the structures, systems and components and of the facility as a whole...”

10 CFR 50.2 “*Design bases* means that information which identifies the specific functions to be performed by a structure, system or component of a facility and the specific values or ranges of values chosen for controlling parameters as reference bounds for design....”

10 CFR 50.71(e) “...The updated FSAR shall be revised to include the effects of: all changes made to the facility or procedures as described in the FSAR; all safety evaluations performed by the licensee either in support of requested license amendments or in support of conclusions that changes did not involve an unreviewed safety question; and all analyses of new safety issues performed by or on behalf of the licensee at Commission request. The updated information shall be appropriately located in the FSAR.”

Applicable guidance from NEI 98-03 Revision 1 "Guideline for Updating Final Safety Analysis Reports" is as follows:

"Historical information is that which was provided in the original FSAR to meet the requirements of 10 CFR 50.34(b) and meets one of the following criteria:

- Information that was accurate at the time the plant was originally licensed but is not intended or expected to be updated for the life of the plant
- Information that is not affected by changes to the plant or its operation
- Information that does not change with time."

It is ENO's position that Appendix F was a one-time comparison, performed at the time of original licensing, to demonstrate conformance with the Draft GDC. Appendix F contains a discussion of the design criteria to which VY's original design conformed, and is thus properly designated as "historical information" under the above cited definition in NEI 98-03 and therefore meets the intent of 10 CFR 50.71(e) regarding maintenance of design basis information.

In Reference 2, VY committed to perform a verification of the UFSAR. This effort is complete and included both an accuracy and completeness verification. This effort used the guidance contained in NEI 98-03 and included a review of past NRC Safety Evaluation Reports and 10 CFR 50.59 Evaluations to verify that applicable design bases requirements were included within the controlled portion of the UFSAR.

ENO believes that the UFSAR verification effort demonstrated compliance with 10 CFR 50.34(b) and regular cycle updates satisfy the requirements of 10 CFR 50.71(e), and that it has continued to maintain the UFSAR in conformance with those requirements.

#### Request No. 2

***If a determination is made that the historical designation for Appendix F is not consistent with the regulations, provide a plan and schedule for revising the UFSAR to include the current information on the overall design and licensing basis for the facility.***

#### Response to Request No. 2

As noted in the response to Request No. 1, the designation of Appendix F as "historical information" is consistent with NEI 98-03 and therefore meets the intent of 10 CFR 50.71(e). ENO's review confirmed that there are no regulatory requirements that would require that a summary of conformance to the draft GDC be included in the UFSAR. However, ENO believes that it would be beneficial for our staff to have a cross reference from the Draft GDC to the various sections within the UFSAR that contain information demonstrating conformance with the applicable Draft GDC and where the later 10CFR50 Appendix A GDC may have been invoked in the licensing basis. To accomplish that end, ENO will update the UFSAR to include this information. This change will be included in the next UFSAR update, which will be submitted in accordance with 10 CFR 50.71(e).

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**Attachment 2**

**Vermont Yankee Nuclear Power Station  
Response to Request for Information Regarding  
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**Summary of Commitments**

Entergy Nuclear Operations, Inc.

**SUMMARY OF COMMITMENTS**

The following table identifies commitments made in this document by Entergy Nuclear Operations, Inc. (ENO) for the Vermont Yankee Nuclear Power Station (VY). Any other actions discussed in the submittal represent intended or planned actions by ENO. They are described to the NRC for the NRC's information and are not regulatory commitments. Please notify the Licensing Manager of any questions regarding this document or any associated commitments.

<b>COMMITMENT</b>	<b>COMMITTED DATE</b>
ENO will update the VY UFSAR to include a cross reference from the Draft GDC to the various sections within the UFSAR that contain information demonstrating conformance with the applicable Draft GDC and where the later 10CFR50 Appendix A GDC may have been invoked in the licensing basis.	6 months after completion of the next refueling outage.