

June 27, 2005

Mr. Ed Anthes  
Nuclear Free Vermont by 2012  
P.O. Box 6325  
Brattleboro, VT 05302

Dear Mr. Anthes,

I am responding to your email dated March 14, 2005, regarding your concerns about Vermont Yankee's emergency notification system.

Federal oversight of radiological emergency planning at Vermont Yankee is shared by the NRC and the Federal Emergency Management Agency (FEMA). FEMA assesses off-site emergency planning and response, including the primary and backup off-site emergency notification system, and assists state and local governments. The NRC assesses Entergy's on-site emergency planning and response. The NRC also conducts inspections on aspects of the primary emergency notification system. FEMA provides to the NRC the results of its assessment regarding the adequacy and capability of implementing the off-site plan. FEMA's assessment, information regarding emergency preparedness performance indicators, and NRC inspection findings in the emergency preparedness area are used by the NRC to make a determination on the overall state of radiological emergency preparedness.

Each commercial United States nuclear power reactor plant, including the Vermont Yankee Nuclear Power Station, has an emergency plan to assure that adequate measures are taken on-site and off-site to protect the public in the event of a radiological emergency. An element of the plan requires that each plant have a primary and backup off-site emergency notification system to notify the public of a radiological emergency. Federal regulations require that Vermont Yankee's primary off-site emergency notification system be able to essentially complete within about 15 minutes the initial notification of the public who are within the 10-mile emergency planning zone. In 1996 FEMA accepted Vermont Yankee's plan to use sirens and, for those locations in which sirens were not effective, to use tone alert radios as the primary emergency notification system. It is important to note that the purpose of the sirens and tone alert radios is to alert the public to turn on their radio or television to the Emergency Broadcast System and listen for directions on how to respond to the radiological emergency.

In a letter dated February 2, 2005, as a result of an NRC inspection (Inspection Report 05000271/2004009), the NRC issued a Notice of Violation to Entergy because some members of the public who were in a location in the 10-mile emergency planning zone that used tone alert radios did not have tone alert radios. Since that NRC inspection, Entergy has been working with the local emergency management directors and has provided tone alert radios to the affected portion of the public. In May 2005, Entergy notified the Vermont Emergency Management Agency that it had completed actions related to the tone alert radios. We have recently completed a review of Entergy's corrective actions to our Notice of Violation. We were satisfied with Entergy's corrective actions and will document this review in an upcoming inspection report.

We believe that since Entergy has completed its corrective actions, the primary off-site emergency notification system around Vermont Yankee is in compliance with the federal regulations and is able to essentially complete within about 15 minutes the initial notification of the public who are within the 10-mile emergency planning zone. Notwithstanding, Entergy has indicated to us that it plans to make enhancements to the off-site emergency notification system to upgrade the sirens by June 30, 2005, and to implement an automated telephone notification system at some later date.

In May 2005, Entergy and state and local emergency responders in Vermont, New Hampshire, and Massachusetts conducted an exercise in response to a simulated radiological emergency at Vermont Yankee. The NRC evaluated on-site emergency response and FEMA evaluated off-site emergency response. In letters to the States of Vermont and New Hampshire and the Commonwealth of Massachusetts, dated June 6, 2005, FEMA identified a total of seven deficiencies in the off-site response. Two deficiencies involved process delays by the off-site authorities associated with actuation of the primary off-site notification system and three involved the time to complete the backup emergency notification. None of the deficiencies related to the operability of the emergency notification equipment. FEMA requested that these deficiencies be corrected within 120 days. FEMA has informed the NRC that New Hampshire and Massachusetts have corrected the deficiencies associated with completing the backup emergency notification. The five deficiencies associated with the off-site response in Vermont are in the process of being corrected. The NRC sent a letter to Entergy dated June 15, 2005, transmitting a copy of the letters that FEMA sent to the states. The NRC will monitor Entergy's efforts to work with the state and local authorities to correct the deficiencies.

A copy of the letter sent to Entergy, along with the FEMA letters sent to the three states, is available electronically from the Publicly Available Records (PARS) component of the NRC's document system (ADAMS) (Accession Number ml051660320). ADAMS is accessible from the NRC Web site at: <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

I hope that this letter has been responsive to your email. Please be aware that the NRC does have a process in place by which any member of the public can request an enforcement action or to modify a regulation. You can obtain information about these processes at the NRC Web site at: <http://www.nrc.gov/public-involve.html>

If you have any further questions on this response, please contact me at 610-337-5227.

Sincerely

**/RA/**

Clifford J. Anderson, Chief  
Projects Branch 5  
Division of Reactor Projects

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