

December 10, 2001

MEMORANDUM TO: James Clifford, Chief, Section 2
Project Directorate I
Division of Licensing and Project Management
Office of Nuclear Reactor Regulation

FROM: Kathy Halvey Gibson, Chief/RA/
Emergency Preparedness and
Health Physics Section
Reactor Safeguards, Radiation Safety,
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Division of Inspection Program Management
Office of Nuclear Reactor Regulation

SUBJECT: NRR WORK REQUEST: LICENSE TRANSFER AND CONFORMING
AMENDMENTS TO THE VERMONT YANKEE FACILITY OPERATING
LICENSE (TAC MB3154)

We have completed our review of the October 5, 2001, submission from Vermont Yankee Nuclear Power Corporation (VYNPC), Entergy Nuclear Vermont Yankee, LLC (Entergy Nuclear VY), and Entergy Nuclear Operations, Inc. (ENO) requesting the transfer of the Vermont Yankee Nuclear Power Station (VY) Facility Operating License DRP-28 from VYNPC to Entergy Nuclear VY to possess, and to ENO to possess, use, and operate VY. Our review encompassed the effect the license transfer and proposed license amendments may have on the level of emergency preparedness at VY.

Enclosure 1 "Application For Transfer Of Facility Operating License" to the submittal dated October 5, 2001, states that "Upon approval of the transfers, Entergy Nuclear VY, and ENO, as its authorized agent, will assume authority and responsibility for functions necessary to fulfill the emergency planning requirements specified in 10 CFR 50.47(b) and 10 CFR 50, Appendix E." The submittal of October 5, 2001, also states that "No substantive changes will be made to the existing Vermont Yankee Emergency Plan nor will there be any immediate changes to the existing Emergency Response Organizations as a result of [the] proposed license transfer."

A review of the annotated changes to the Facility Operating License revealed no changes that would affect the level of emergency preparedness at VY. The proposed technical specification change does not change the VY Emergency Plan in any way. If, as the result of the transfer, any conditions are identified that would decrease the effectiveness of the approved Emergency Plan, no changes shall be implemented until approved by the Nuclear Regulatory Commission (NRC) as required by 10 CFR 50.54(q). Changes to the VY Emergency Plan that do not

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decrease the effectiveness of the approved Emergency Plan are permissible under 10 CFR 50.54(q) and shall be submitted to the NRC as specified in 10 CFR 50, Appendix E, Section V. However, the requested changes to the Facility Operating License and technical specifications contain no changes to the Emergency Plan. This being the case, there are no emergency preparedness related concerns with the proposed changes. The requested license transfer and conforming license amendments are acceptable in so far as their impact on the level of emergency preparedness at VY.

This memo does not contain any proprietary information.

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