



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 17, 2009

Site Vice President
Entergy Nuclear Operations, Inc.
Vermont Yankee Nuclear Power Station
P.O. Box 250
Governor Hunt Road
Vernon, VT 05354

SUBJECT: VERMONT YANKEE NUCLEAR POWER STATION - ISSUANCE OF
AMENDMENT RE: MAIN STEAM ISOLATION VALVE SURVEILLANCE
REQUIREMENTS (TAC NO. MD9726)

Dear Sir or Madam:

The Commission has issued the enclosed Amendment No. 237 to Facility Operating License DPR-28 for the Vermont Yankee Nuclear Power Station (VY), in response to your application dated September 22, 2008.

The amendment would revise the Technical Specification (TS) to remove the requirement to perform quarterly closure time testing of the Main Steam Isolation Valves (MSIVs) by deleting TS Surveillance Requirement 4.7.D.1.c. Operability testing of the MSIVs will continue to be required by the Vermont Yankee Inservice Test Program and the safety functions of the MSIVs will continue to be contained in the VY Updated Final Safety Analysis Report and VY Technical Requirements Manual.

A copy of the related Safety Evaluation is also enclosed. Notice of Issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,

A handwritten signature in cursive script that reads "James Kim".

James Kim, Project Manager
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-271

Enclosures:

1. Amendment No. 237 to License No. DPR-28
2. Safety Evaluation

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

ENERGY NUCLEAR VERMONT YANKEE, LLC
AND ENERGY NUCLEAR OPERATIONS, INC.

DOCKET NO. 50-271

VERMONT YANKEE NUCLEAR POWER STATION
AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 237
License No. DPR-28

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment filed by Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. (the licensee) dated September 22, 2008, 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, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 3.B of Facility Operating License No. DPR-28 is hereby amended to read as follows:

(B) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 237, are hereby incorporated in the license. Entergy Nuclear Operations, Inc. shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of its date of issuance and shall be implemented within 60 days.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in black ink, appearing to read "Richard V. Guzman", with a horizontal line extending to the right.

Richard V. Guzman, Acting Chief
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to the License and
Technical Specifications

Date of Issuance: June 17, 2009

ATTACHMENT TO LICENSE AMENDMENT NO. 237

FACILITY OPERATING LICENSE NO. DPR-28

DOCKET NO. 50-271

Replace the following page of the Facility Operating License with the attached revised page. The revised page is identified by amendment number and contains marginal lines indicating the areas of change.

Remove
3

Insert
3

Replace the following page of the Appendix A Technical Specifications with the attached revised page. The revised page is identified by amendment number and contain marginal lines indicating the areas of change.

Remove
158

Insert
158

- 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 1912 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 No. 237 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. This paragraph deleted by Amendment No. 226.

- 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:



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO.237 TO FACILITY OPERATING LICENSE NO. DPR-28

ENTERGY NUCLEAR VERMONT YANKEE, LLC
AND ENTERGY NUCLEAR OPERATIONS, INC.
VERMONT YANKEE NUCLEAR POWER STATION

DOCKET NO. 50-271

1.0 INTRODUCTION

By application dated September 22, 2008 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML082700459), Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. (the licensee) submitted a request to amend the Vermont Yankee Nuclear Power Station (Vermont Yankee or VY) Technical Specifications (TSs). The proposed amendment changes would remove the requirement to perform quarterly closure time testing of the Main Steam Isolation Valves (MSIVs) by deleting TS Surveillance Requirement (SR) 4.7.D.1.c. Operability testing of the MSIVs will continue to be required by the VY Inservice Test Program and the safety functions of the MSIVs will continue to be contained in the VY Updated Final Safety Analysis Report and VY Technical Requirements Manual.

2.0 REGULATORY EVALUATION

Section 182a of the Atomic Energy Act of 1954, as amended, requires applicants for nuclear plant operating licenses to state TSs to be included as part of the license. The Commission's regulatory requirements related to the content of TSs are set forth in Title 10 of the *Code of Federal Regulations* (10 CFR) 50.36, "Technical specifications." The regulation requires that the TSs include items in five specific categories, including (1) safety limits, limiting safety system settings, and limiting control settings; (2) limiting conditions for operation (LCOs); (3) SRs; (4) design features; and (5) administrative controls. However, the regulation does not specify the particular requirements to be included in a plant's TSs.

The Nuclear Regulatory Commission (NRC) staff and nuclear steam supply owners groups developed the Standard Technical Specifications (STS) that established models of the Commission's policy for TSs, and improved the format and clarity of the specifications. NUREG-1433, "Standard Technical Specifications General Electric Plants, BWR/4," Revision 3, was approved and issued for use by the NRC.

In 1990, the American Society of Mechanical Engineers (ASME) published the initial edition of the ASME Code for Operation and Maintenance of Nuclear Power Plants (OM Code), which provides requirements for Inservice Testing (IST) of pumps and valves. The OM Code was developed and is maintained by the ASME Committee on Operation and Maintenance of Nuclear Power Plants. The Vermont Yankee 10-year IST program updates were developed to meet the requirements of the ASME OM Code pursuant to 10 CFR 50.55a(f)(4)(ii) as required by 10 CFR 50.55a(f)(4). The licensee submitted TS amendment removes the requirement to perform quarterly closure time testing of the MSIVs by deleting TS SR 4.7.D.1.c. MSIV testing will be performed in accordance with the Vermont Yankee IST Program.

3.0 TECHNICAL EVALUATION

3.1 Specific Changes Requested

The licensee has proposed to delete SR 4.7.D.1.c which requires that with reactor power less than 75 percent of rated, the MSIVs be tripped quarterly one at a time and closure time verified.

3.2 Basis for Changes

The safety function of the MSIVs are to limit release of radioactive material by closing the nuclear system process barrier and the primary containment barrier and to limit the loss of reactor cooling water in case of a major steam leak outside the primary containment.

There are four main steam lines. Two isolation valves per line are provided in series in a horizontal run of each main steam line, as close as practical to the primary containment, one inside (inboard) and the other outside (outboard). The valves, when closed, form part of the primary containment barrier for nuclear system breaks inside the containment and part of the nuclear system process barrier for main steam line breaks outside the primary containment. The MSIV closure time setpoint, as specified in the Vermont Yankee Updated Final Safety Analysis Report (UFSAR) and the Technical Requirements Manual (TRM), Table 4.7.2, is no less than 3 seconds and no greater than 5 seconds.

Operability testing of the MSIVs ensures their capability to perform their safety functions. Following implementation of the proposed change, TS SR 4.7.D.1.b will still require operability testing of the MSIVs by reference to SR 4.6.E, which references the Vermont Yankee IST Program. The MSIV closure time setpoints related to the safety function of the system will continue to be contained in the UFSAR and TRM. Changes to the UFSAR and TRM are evaluated per the requirements of 10 CFR 50.59. These controls are adequate to ensure the required IST is performed to verify the MSIVs are operable and capable of performing their safety functions.

3.3 Evaluation

The licensee proposes to delete SR 4.7.D.1.c which requires that the MSIVs be tripped one at a time with reactor power less than 75 percent of rated to verify closure time on a quarterly basis. In lieu of the SR 4.7.D.1.c requirements, the MSIVs will be tested in accordance with the IST program in accordance with SR 4.7.D.1.b and the closure time setpoints contained in the TRM.

The NRC staff evaluated the licensee's submittal and concluded that the proposed change does not involve a significant increase in risk to the operation of Vermont Yankee. SR 4.7.D.1.b requires that operability testing of the primary containment isolation valves be performed in

accordance with the Vermont Yankee IST program. The Vermont Yankee 10-year IST program updates were developed to meet the requirements of the ASME OM Code pursuant to 10 CFR 50.55a(f)(4)(ii) as required by 10 CFR 50.55a(f)(4) and requires closure testing of the MSIVs. The licensee's proposed testing is also consistent with NUREG-1433, "Standard Technical Specifications General Electric Plants, BWR/4," Revision 3, which requires that MSIVs be tested in accordance with the IST program. The NRC staff has determined that the proposed amendment is acceptable based on the following: 1) the testing required by SR 4.7.D.1.b and the TRM verifies that the MSIV can perform its safety function; and 2) testing MSIVs in accordance with the IST program is consistent with the General Electric Standard Technical Specifications contained in NUREG-1433.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Vermont State official was notified of the proposed issuance of the amendment. The State official had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 and changes surveillance requirements. The NRC staff has determined that the amendment involves no significant increase in amounts, and no significant change in the types of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendment involves no significant hazards consideration, and there has been no public comment on such finding (73 FR 65692). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: William K. Poertner

Date: June 17, 2009

June 17, 2009

Site Vice President
Entergy Nuclear Operations, Inc.
Vermont Yankee Nuclear Power Station
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Sincerely,

/ra/

James Kim, Project Manager
Plant Licensing Branch I-1
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Docket No. 50-271

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Accession No.: ML091550570

*See memo dated May 12, 2009

OFFICE	LPLI-1/PM	LPLI-1/LA	CPTB/BC	OGC - NLO	LPLI-1/BC (A)
NAME	JKim	SLittle	JMcHale*	LSubin	RGuzman
DATE	6/10/09	6/10/09	5/12/2009	6/12/09	6/16/09

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