

December 10, 2015

Timothy Greten, Acting Director
Technological Hazards Division
Federal Emergency Management Agency
1800 South Bell Street
Arlington, VA 20598-3025

SUBJECT: EXEMPTION OF VERMONT YANKEE NUCLEAR POWER STATION FROM
OFF-SITE EMERGENCY PLANNING REQUIREMENTS

Dear Mr. Greten:

This is to notify you that on December 10, 2015, the U.S. Nuclear Regulatory Commission (NRC) granted an exemption to Entergy Nuclear Operations, Inc. (ENO) from certain emergency planning requirements in Section 50.47, "Emergency plans," and Appendix E, "Emergency Planning and Preparedness for Production and Utilization Facilities," to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, thereby allowing ENO to discontinue off-site radiological emergency planning activities and reduce the scope of its on-site emergency planning at the Vermont Yankee Nuclear Power Station (VY) to be effective as of April 15, 2016. A copy of the NRC's safety evaluation (Agencywide Documents Access and Management System (ADAMS) Accession No. ML15180A054) for the requested exemption is enclosed.

VY is a decommissioning power reactor located on the west bank of the Connecticut River, immediately upstream of the Vernon Hydrostation, in the town of Vernon (Windham County), Vermont. The 10 CFR Part 50 license for VY no longer authorizes operation of the reactor or emplacement or retention of fuel into the reactor vessel, as specified in 10 CFR 50.82(a)(2). ENO is authorized to possess and store spent nuclear fuel at the permanently shut-down and defueled VY facility. Spent fuel is currently stored on-site at VY in a spent fuel pool and a dry cask storage facility.

The regulations that require each nuclear power reactor licensee to establish and maintain emergency plans and preparedness are set forth in 10 CFR 50.47, and Appendix E to 10 CFR Part 50. The regulations include standards for both on-site and off-site radiological emergency plans. However, when compared to an operating nuclear power plant, the regulations do not take into account the reduced risk of an off-site radiological release at a permanently shut-down and defueled power reactor. The NRC concluded that the emergency planning requirements for VY, as modified by the exemptions described in the enclosed safety evaluation, would provide: (1) an adequate basis for an acceptable state of emergency preparedness; and (2) in conjunction with arrangements made with off-site response agencies, reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency at VY.

T. Greten

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In light of the exemption granted to ENO, the NRC no longer requires the Federal Emergency Management Agency (FEMA) to monitor, review, or report on off-site radiological emergency planning and preparedness activities at VY, in accordance with the memorandum of understanding between FEMA and the NRC as contained in Appendix A to 44 Part 353. Emergency planning and preparedness will be limited to on-site activities; notification of off-site authorities in event of an emergency classification; requiring only on-site exercises with the opportunity for off-site response organization participation; and only maintaining arrangements for off-site response organizations (i.e., law enforcement, fire and medical services) that may respond to on-site emergencies as identified in the licensee's permanently defueled emergency plan.

We request that FEMA notify the appropriate State and local governments that the off-site radiological emergency plans, required by 44 CFR 350, will no longer be required for the VY site due to the permanent shut down and defueled condition of the facility to be effective as of April 15, 2016. Should you need more information or support in interfacing with State and local government officials on this manner, please contact Joseph Anderson of my staff at (301) 287-9300.

Sincerely,

/RA/

Robert J. Lewis, Director
Division of Preparedness and Response
Office of Nuclear Security and Incident Response

Enclosure:
Letter to Site Vice President, Entergy
Nuclear Operations, Inc.

cc: H. Sherwood, FEMA
V. Quinn, FEMA
A. Coons, FEMA

T. Greten

-2-

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ADAMS Accession No.:Pkg. ML15086A401 Letter: ML15086A369 Enclosure: ML15180A054

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