

October 28, 2015

Mr. Christopher Herrick, Director
Vermont Division of Emergency
Management and Homeland Security
Department of Public Safety
103 S. Main Street
Waterbury, VT 05671-2101

SUBJECT: TERMINATION OF EMERGENCY RESPONSE DATA SYSTEM FEED TO THE
STATE OF VERMONT FOR VERMONT YANKEE NUCLEAR POWER STATION

Dear Mr. Herrick:

This letter serves to notify the State of Vermont of the termination of the Emergency Response Data System (ERDS) link from the Vermont Yankee Nuclear Power Station (VY) to the U.S. Nuclear Regulatory Commission (NRC) Operations Center, based on the permanently shut-down status of the facility.

Section VI of Appendix E to Part 50 of Title 10 of the *Code of Federal Regulations* (10 CFR) establishes the requirement for a nuclear power reactor licensee to have a real-time electronic data link from the licensee's onsite computer system to the NRC Operations Center that provides for the automated transmission of a limited data set of selected parameters. The Final Memorandum of Understanding (MOU) between the NRC and the State of Vermont, contained in Volume 62, No. 28 (Page 6281) of the *Federal Register* dated February 11, 1997, provides the basis for mutually agreeable procedures whereby the State of Vermont may utilize the NRC ERDS to receive data during an emergency at a commercial nuclear power plant in Vermont.

By letter dated September 23, 2013 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML13273A204), Entergy Nuclear Operations (Entergy) provided notification to the NRC of its intent to permanently cease power operations at VY. By letter dated January 12, 2015, Entergy submitted certifications, pursuant to 10 CFR paragraphs 50.82(a)(1)(i) and (a)(1)(ii), of the permanent cessation of power operations, the permanent removal of fuel from the VY reactor vessel, and the placement of the fuel in the spent fuel pool (ADAMS Accession No. ML15013A426). Upon docketing of these certifications, 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).

Nuclear power facilities that have permanently or indefinitely shutdown are excepted from the requirements to have an ERDS data link to the NRC (see Section VI.2 of Appendix E to 10 CFR Part 50). As such, Entergy has revised VY's procedures, under 10 CFR 50.54(q), to remove the requirement to activate the ERDS data transmission within 1 hour of an emergency declared as an alert or higher classification.

The termination of the ERDS link for VY does not impact the NRC's responsibility to provide State and local authorities with recommendations and advice on off-site action that they may consider to protect their citizenry. Also, Entergy is still required to provide notification to off-site

authorities for an emergency declaration and provide information on facility status to support the assessment of a potential radiological release at the facility.

Since there are no other nuclear power plants whose 10-mile emergency planning zone lies within the State of Vermont, there is no longer a need for the MOU that was put in place to provide "the basis for mutually agreeable procedures whereby the State of Vermont may utilize the NRC Emergency Response Data System (ERDS) to receive data during an emergency at a commercial nuclear power plant in Vermont" (62 Federal Register 6281; February 11, 1997). This letter serves to notify the State of Vermont that the NRC intends to terminate the MOU with the State of Vermont that went into effect on December 10, 1996, 30 days after issuance of this letter. No further communication will be required.

If you have any questions regarding the termination of the ERDS link for VY, or continued interface with the NRC for an event at VY, please contact Bezakulu Alemu at (301) 287-3731 or by e-mail at Bezakulu.Alemu@nrc.gov.

Sincerely,

/RA/

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

cc: Christopher Recchia, Commissioner,
Vermont Department of Public Service
Erica Bornemann, Chief of Staff,
Vermont Division of Emergency
Management and Homeland Security
Anthony R. Leshinskie, State Nuclear
Engineer, Vermont Public Service
Department
Raymond Powell, Chief, Decommissioning &
Technical Support Branch, NRC,
Region I
Nancy McNamara, Regional State
Liaison Officer, NRC, Region RI

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NSIR/DPR r/f

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ADAMS ACCESSION NO.: ML15117A520

***via e-mail**

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