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John W. Boyle
Director, Nuclear Decommissioning

10 CFR 50.90
10 CFR 50.54(p)
10 CFR 73.55(r)

BVY 17-003

March 29, 2017

U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555

SUBJECT: Independent Spent Fuel Storage Installation Physical Security Plan, Revision 0
Proposed Change No. 315
Vermont Yankee Nuclear Power Station
Docket No. 50-271
License No. DPR-28

REFERENCES:

1. Letter, Entergy Nuclear Operations, Inc. to USNRC, "Certifications of Permanent Cessation of Power Operations and Permanent Removal of Fuel from the Reactor Vessel," BVY 15-001, dated January 12, 2015 (ML15013A426)
2. NRC Interim Staff Guidance, NSIR/DSP-ISG-03, "Review of Security Exemptions/ License Amendment Requests for Decommissioning Nuclear Power Plants," September 28, 2015 (ML15106A737)
3. Letter, Entergy Nuclear Operations, Inc. to USNRC, "Application for Order Consenting to Direct and Indirect Transfers of Control of Licenses and Approving Conforming License Amendment and Notification of Amendment to Decommissioning Trust Agreement," BVY 17-005, dated February 9, 2017

Dear Sir or Madam:

Pursuant to the provisions of 10 CFR 50.4, 10 CFR 50.54(p), 10 CFR 73.55(r), and 10 CFR 50.90, Entergy Nuclear Operations, Inc. (ENO) requests approval of the enclosed Vermont Yankee Nuclear Power Station (VY) Independent Spent Fuel Storage Installation (ISFSI) Physical Security Plan (PSP), Revision 0. The Training and Qualification Plan and the Safeguards Contingency Plan are Appendices to the ISFSI PSP. Proposed Revision 0 of the ISFSI PSP will replace in its entirety Revision 18 of the VY Security Plan, which is currently in

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effect. This submittal does not address the protection of material subject to the requirements of 10 CFR 37, "Physical Protection of Category 1 and Category 2 Quantities of Radioactive Materials," which is addressed in a separate plan. This submittal also does not propose changes to the requirements of 10 CFR 73.54, "Protection of digital computer and communication systems and networks," which is addressed by the cyber security plan. A separate transmittal will provide revised responses for those Orders which are applicable to the VY ISFSI in the condition with all irradiated fuel located in dry storage casks within the ISFSI.

The proposed changes are appropriate for a facility that has submitted the 10 CFR 50.82(a) certifications for permanent cessation of power operations and the permanent removal of fuel from the reactor vessel (Reference 1), and completed the transfer of all irradiated fuel to the ISFSI. Implementation of the proposed changes will be predicated upon the completion of the transfer of all irradiated fuel to dry storage in casks within the ISFSI. The movement of all irradiated fuel to the ISFSI will occur entirely within the existing Protected Area (PA), which includes the locations of the existing ISFSI pad and a second pad currently under construction and expected to be completed in September 2017. Implementation of the proposed changes will also require the installation or modification of security structures, systems and components necessary to support the ISFSI PSP, and appropriate security measures to be in place during the transition from the current Security Plan to the ISFSI PSP.

The campaign to transfer the remaining irradiated fuel located in the spent fuel pool (SFP) to the ISFSI, scheduled to commence in April 2017, is in accordance with the most recently approved (Amendment 10) Certification of Compliance No. 72-1014 for the Holtec International (Holtec) HI-STORM 100 Cask System, or later amendment or other NRC approved licensing actions. These actions are anticipated to result in the criteria being met to allow the transfer of spent fuel to the ISFSI to be completed as early as mid-2018. This amendment request for the ISFSI PSP is not intended to be dependent on the approval of any licensing actions related to the fuel campaign.

The proposed ISFSI PSP is consistent with the guidance provided by NRC Staff in NSIR/DSP-ISG-03, "Review of Security Exemptions/License Amendment Requests for Decommissioning Nuclear Power Plants" (Reference 2).

Pursuant to 10 CFR 50.91(a)(1), ENO has performed an evaluation and determined that the proposed amendment presents no significant hazards consideration under the standards set forth in 10 CFR 50.92(c), and, accordingly, a finding of "no significant hazards consideration" is justified. Furthermore, ENO has evaluated this proposed license amendment against the criteria for identification of licensing and regulatory actions requiring environmental assessment in accordance with 10 CFR 51.21 and has concluded, pursuant to 10 CFR 51.22(b), that no environmental impact statement or environment assessment need be prepared in connection with the proposed amendment. The basis for these evaluations is provided in attachments 1, 2 and 3 of this letter.

Attachment 1 to this letter provides a summary and an evaluation of the proposed changes (uncontrolled version) which includes the no significant hazards consideration determination

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and environmental considerations. Attachment 2 to this letter provides a markup of the current VY Renewed Facility Operating License to reflect the changes to Condition 3.G, "Security Plan," and Attachment 3 to this letter provides the retyped (clean) page.

Enclosure 1 contains Security-Related Information to be withheld from public disclosure pursuant to 10 CFR 2.390. Enclosure 1 provides a description and evaluation of the proposed changes for the ISFSI PSP, including a description of programmatic assumptions applied to the development of the ISFSI PSP based on 10 CFR 72.212(b)(9), a summary of the alternative measures requested pursuant to 10 CFR 73.55(r), the no significant hazards consideration determination, and environmental considerations. Enclosure 1 also provides a report describing key design features of the ISFSI PSP, a list of Orders applicable to the ISFSI PSP with cross-references to relevant sections of the ISFSI PSP, and compliance matrices for 10 CFR 73.55 (including Appendices B and C to Part 73) requirements with cross-references to relevant sections of the ISFSI PSP.

Enclosure 2 contains Safeguards Information as defined by 10 CFR 73.22 and its disclosure to unauthorized individuals is prohibited by Section 147 of the Atomic Energy Act of 1954, as amended, and must be protected accordingly. Enclosure 2 provides the proposed ISFSI PSP Revision 0 and detailed discussions and evaluations for the alternative measures requested pursuant to 10 CFR 73.55(r).

Upon separation from Enclosures 1 and 2, this letter and Attachments 1, 2 and 3 to this letter are decontrolled.

ENO is requesting NRC approval of this proposed license amendment by June 30, 2018, based on the anticipated completion of the planned dry fuel storage campaigns, subject to certain regulatory approvals. Once approved, implementation of the ISFSI PSP will commence only after notification to NRC of the completion of the transfer of all spent fuel to the ISFSI.

ENO has submitted an application for transfer of the VY licenses, requesting issuance of an Order by December 31, 2017, for approval of amendments to the VY facility license with authorization for the transfers to take place at any time up to December 31, 2018 (Reference 3). NRC review of Reference 3 is anticipated to occur concurrently with review of this amendment request for the ISFSI PSP Revision 0. However, this request for the ISFSI PSP is not intended to rely on approval of Reference 3, and is being submitted for approval and implementation independent of NRC approval of Reference 3.

Pursuant to 10 CFR 50.91, "Notice for public comment; State consultation," paragraph (b), a copy of this application for license amendment, with Attachments 1, 2 and 3, is being provided to the State of Vermont, Department of Public Service.

This letter contains no new regulatory commitments.

Should you have any questions concerning this transmittal, please contact Mr. Coley Chappell at 802-451-3374.

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Should you have any questions concerning this transmittal, please contact Mr. Coley Chappell at 802-451-3374.

I declare under penalty of perjury that the foregoing is true and correct. Executed on March 29, 2017.



JWB/kwk

Attachments:

1. Summary and Evaluation of Proposed Changes (Uncontrolled)
2. Proposed VY Renewed Facility Operating License Change – Markup (Uncontrolled)
3. Revised VY Renewed Facility Operating License Page – Clean Page (Uncontrolled)

Enclosures:

1. Description and Evaluation of Proposed Changes, Applicable Orders for VY ISFSI, General Description of Physical Security Features, and Compliance Matrices to 10 CFR 73.55 and Appendices B and C to 10 CFR 73.55 (Security-Related Information)
2. ISFSI PSP Revision 0 and Proposed Alternative Measures (Safeguards Information)

cc: Mr. Daniel H. Dorman (w/o Enclosures)
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Ms. June Tierney, Commissioner (w/o Enclosures)
Vermont Department of Public Service
112 State Street – Drawer 20
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BVY 17-003
Docket No. 50-271

Attachment 1

Summary and Evaluation of Proposed Changes

(6 pages including Cover Sheet)

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Summary and Evaluation of Proposed Changes

- 1.0 Summary of Proposed Changes
- 2.0 Applicable Regulatory Requirements
- 3.0 No Significant Hazards Consideration Determination
- 4.0 Environmental Considerations
- 5.0 Conclusion

1.0 Summary of Proposed Changes

This proposed Independent Spent Fuel Storage Installation (ISFSI) Physical Security Plan (PSP) for Vermont Yankee Nuclear Power Station (VY) reflects a major change in the defensive strategy. The change in strategy is appropriate following the transition from permanent cessation of power operations with all fuel permanently removed from the reactor vessel, to a facility with all spent fuel placed in dry fuel storage casks located within the ISFSI. Specifically, a strategy of interdict and neutralize is being replaced with a strategy of assess and notify the designated local law enforcement agency (LLEA).

The proposed ISFSI PSP was developed to meet regulatory requirements for protection of the spent fuel against the design basis threat of radiological sabotage. Changes to the protected area (PA) and vehicle barrier system (VBS) boundaries are designed to meet the requirements for protection of spent fuel stored in the ISFSI and certain components required for the physical protection of the ISFSI.

The ISFSI PSP is consistent with NRC guidance provided in Nuclear Security Incident Response/Division of Security Policy – Interim Staff Guidance (NSIR/DSP-ISG)-03, “Review of Security Exemptions/License Amendment Requests for Decommissioning Nuclear Power Plants,” and was informed by security plans recently reviewed/approved by NRC for similar facilities with all spent fuel in dry storage within an ISFSI.

The ISFSI PSP also reflects consideration of Orders previously issued by the NRC which are applicable to the VY ISFSI. The security Training and Qualification Plan and Safeguards Contingency Plan are included as Appendices to the ISFSI PSP.

2.0 Applicable Regulatory Requirements

Pursuant to 10 CFR 50.54(p) and 10 CFR 50.90, Entergy Nuclear Operations, Inc. (ENO) is requesting approval of proposed ISFSI PSP Revision 0 and an amendment for a conforming change to VY Renewed Facility Operating License Condition 3.G. In accordance with 10 CFR 72.212(b)(9), the ISFSI PSP is required to protect the spent

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fuel against the design basis threat of radiological sabotage in accordance with the same provisions as area set forth in the physical security requirements of 10 CFR 73.55 with certain conditions and exceptions as specified in the regulation. This submittal includes requests for alternative measures pursuant to 10 CFR 73.55(r), 10 CFR 50.90 and 10 CFR 50.4 that support the proposed ISFSI PSP.

3.0 No Significant Hazards Consideration Determination

The proposed Independent Spent Fuel Storage Installation (ISFSI) Physical Security Plan (PSP) Revision 0 addresses the physical protection of material on site that is licensed under the Vermont Yankee Nuclear Power Station (VY) Renewed Facility Operating License, as well as the general license for the VY ISFSI. The protection of material subject to the requirements of 10 CFR 37, "Physical Protection of Category 1 and 2 Quantities of Radioactive Material," currently included in the VY Security Plan (Revision 18), will be addressed in a Part 37 Plan separate from the ISFSI PSP.

VY has submitted the certifications for 10 CFR 50.82(a)(1), therefore 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, pursuant to 10 CFR 50.82(a)(2). The proposed amendment for ISFSI PSP Revision 0 reflects the configuration of the facility after all the spent nuclear fuel is stored at the ISFSI and the Protected Area (PA) boundary is reconfigured to include the spent fuel storage casks located within the ISFSI and certain facility structures, systems, components (SSCs) necessary for the protection of the ISFSI. Entergy Nuclear Operations, Inc. (ENO) has evaluated the proposed amendment to determine if a significant hazards consideration is involved by focusing on the three standards set forth in 10 CFR 50.92, "Issuance of Amendment," as discussed below:

1. The proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

Response: No

VY has submitted notifications pursuant to 10 CFR 50.82(a)(1) for permanent cessation of power reactor operations and permanent removal of fuel from the reactor vessel. Upon docketing of the 10 CFR 50.82(a)(1) certifications, under 10 CFR 50.82(a)(2) the VY Part 50 license no longer authorizes operation of the reactor or emplacement or retention of fuel into the reactor vessel. The irradiated fuel at VY is currently stored in the spent fuel pool (SFP) and within the ISFSI on a single pad. In this condition, the number of credible accidents or transients is significantly smaller than for a plant authorized to operate the reactor or emplace or retain fuel in the reactor vessel.

Construction of a second ISFSI pad is in progress and scheduled for completion in 2017, to allow for complete off-load of the SFP to dry storage in casks within the ISFSI. The proposed ISFSI PSP reflects the future site configuration with off-

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load of fuel from the SFP to the ISFSI, with no intention to return spent fuel to the SFP. In this dry fuel storage only configuration, the Fuel Handling Accident currently described in VY Defueled Safety Analysis Report (DSAR) Chapter 6 would no longer be credible. Since the proposed amendment would have no significant effect on facility SSCs and no significant effect on the capability of facility SSCs to perform their design functions for any accident previously evaluated, it does not significantly increase the likelihood of the malfunction of facility SSCs and does not increase the probability or consequences of an accident previously evaluated.

The casks are maintained in accordance with the provisions of the general license for the VY ISFSI, utilizing the Holtec International HI-STORM 100 Cask System, Certificate of Compliance (CoC) No. 72-1014, and in accordance with the associated Cask Final Safety Analysis Report (FSAR). The HI-STORM 100 Cask System consists of spent nuclear fuel (SNF) residing within a fuel basket structure contained within a sealed metallic canister, or Multi-Purpose Canister (MPC). The HI-STORM 100 receives and contains the sealed MPC for long term storage, and provides gamma and neutron shielding, ventilation passages, missile protection, and protection against natural phenomena and accidents for the MPC. Cask FSAR Chapter 11, "Accident Analysis", Section 11.2 provides the evaluation of accidents for the HI-STORM 100 Cask System which satisfies the following minimum acceptance criteria:

- The MPC confinement boundary maintains radioactive material confinement,
- The MPC fuel basket structure maintains the fuel contents subcritical,
- The stored SNF can be retrieved by normal means and
- The system provides adequate shielding.

The HI-STORM 100 Cask System provides the spent nuclear fuel and radioactive material in storage with confinement, radiation shielding, criticality and passive heat removal, independent of other facility SSCs.

Security modifications associated with this proposed amendment include new security systems for lighting, intruder detection systems, protected area boundary fencing, access control systems, telecommunications equipment, a vehicle barrier system, and a central alarm station. These security modifications do not significantly affect the ability of the Cask System and MPC to perform their functions as described in the Cask FSAR. Hence the proposed amendment has no effect on the ability of the Cask System to perform its design function nor would it increase the likelihood of an accident previously evaluated.

Therefore, the proposed amendment does not involve a significant increase in the probability or consequences of a previously evaluated accident.

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2. The proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated

Response: No

The proposed amendment does not involve any physical alteration of any facility SSCs or Cask System components required to mitigate or prevent any accident previously evaluated, and does not have a significant effect on the capability of any facility SSC or Cask System component to perform its design functions. Thus, the proposed amendment does not create any initiators or precursors of a new or different kind of accident than previously evaluated. Likewise, the proposed amendment does not create the possibility of a new failure mode associated with any SSC malfunction or personnel errors that could result in a new or different kind of accident. Since the proposed amendment does not significantly affect any Cask System components, the credible events for the ISFSI are not changed.

Therefore, the proposed amendment does not create the possibility of a new or different kind of accident from any previously evaluated.

3. The proposed change does not involve a significant reduction in a margin of safety

Response: No

Pursuant to 10 CFR 50.82(a)(2), 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, therefore the occurrence of any postulated accidents associated with an operating nuclear reactor is no longer credible. The proposed changes would not be effective until after the transfer of spent fuel to the ISFSI is complete, with no intent to return spent fuel to the spent fuel pool, therefore the fuel handling accident described in VY DSAR Chapter 6 would no longer be credible in this configuration. The proposed amendment does not involve a significant change in any facility SSC or Cask System component's design, configuration, or operation. Therefore the modifications associated with this proposed amendment do not significantly affect the capability or manner in which facility SSCs or Cask System components perform their safety functions or the safety margins associated with their design and function.

Therefore, the proposed amendment does not involve a significant reduction in a margin of safety.

4.0 Environmental Considerations

ENO has evaluated this proposed amendment against the criteria for identification of licensing and regulatory actions requiring environmental assessment in accordance with 10 CFR 51.21, and determined that it meets the criteria for categorical exclusion set

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forth in 10 CFR 51.22(c)(12). The proposed amendment is being submitted under the provisions of 10 CFR Part 50 for approval of a safeguards plan and changes to the VY Renewed Facility Operating License, and in accordance with 10 CFR Part 72. Activities associated with the proposed amendment do not involve any significant construction impacts, and are consistent with a reduction in the security area that focuses primarily on the storage for spent fuel, described in NUREG-0586, "Generic Environmental Impact Statement on Decommissioning of Nuclear Facilities," as a general activity expected to occur during decommissioning. The proposed amendment is confined to (i) organizational and procedural matters; (ii) modifications to systems used for security; and (iii) administrative changes. The modifications associated with this proposed amendment include lighting, intruder detection systems, protected area boundary fencing, access control systems, telecommunications equipment, a vehicle barrier system, and a central alarm station, which are for security of the facility in the ISFSI configuration. The proposed amendment addresses security organizational changes, and describes procedural and other administrative changes.

Therefore, pursuant to 10 CFR 51.22(b), an environmental assessment or impact statement is not required to be prepared in connection with the proposed amendment.

5.0 Conclusion

Based on the considerations discussed above, (1) there is reasonable assurance that the health and safety of the public will not be endangered by the proposed changes, (2) activities consistent with the approved changes 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.

6.0 References

1. Letter, Entergy Nuclear Operations, Inc. to USNRC, "Certifications of Permanent Cessation of Power Operations and Permanent Removal of Fuel from the Reactor Vessel," BVY 15-001, dated January 12, 2015 (ML15013A426)
2. NRC Interim Staff Guidance, NSIR/DSP-ISG-03, "Review of Security Exemptions/ License Amendment Requests for Decommissioning Nuclear Power Plants," September 28, 2015 (ML15106A737)
3. NUREG-0586, "Final Generic Environmental Impact Statement on Decommissioning of Nuclear Facilities," Volumes 1 & 2 of Supplement 1, November 2002 (ML023470327 and ML023500310)

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Attachment 2

Proposed VY Renewed Facility Operating License Change
– Markup

(2 pages including Cover Sheet)

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ISFSI Physical

to

G. Security Plan

10 CFR 72.212(b)(9)

NOTE: This paragraph to be addressed by an independently submitted amendment request.

Entergy Nuclear Operations, Inc. shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification, and safeguards contingency plans including amendments made pursuant to ~~provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822)~~, and the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans¹, which contain Safeguards Information protected under 10 CFR 73.21, is entitled: ~~"Vermont Yankee Nuclear Power Station Security Plan, Training and Qualification Plan, and Safeguards Contingency Plan, Revision 0," submitted by letter dated October 18, 2004, as supplemented by letter dated May 16, 2006.~~ approved on _____.

Entergy Nuclear Operations, Inc. shall fully implement and maintain in effect all provisions of the Commission-approved cyber security plan (CSP), including changes made pursuant to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). Entergy Nuclear Operations, Inc. CSP was approved by License Amendment No. 247, as supplemented by changes approved by License Amendment Nos. 251, 259, and 265.

H. This paragraph deleted by Amendment No. 107, 8/25/88.

I. This paragraph deleted by Amendment No. 131, 10/7/91.

J. License Transfer Conditions

On the closing date of the transfer of Vermont Yankee Nuclear Power Station (Vermont Yankee), Entergy Nuclear Vermont Yankee, LLC shall obtain from Vermont Yankee Nuclear Power Corporation all of the accumulated decommissioning trust funds for the facility, and ensure the deposit of such funds into a decommissioning trust for Vermont Yankee established by Entergy Nuclear Vermont Yankee, LLC. If the amount of such funds does not meet or exceed the minimum amount required for the facility pursuant to 10 CFR 50.75, Entergy Nuclear Vermont Yankee, LLC shall at such time deposit additional funds into the trust and/or obtain a parent company guarantee (to be updated annually) and/or obtain a surety pursuant to 10 CFR 50.75(e)(1)(iii) in a form acceptable to the NRC and in an amount or amounts which, when combined with the decommissioning trust funds for the facility that have been obtained and deposited as required above, equals or

¹ The Training and Qualification Plan and Safeguards Contingency Plan are Appendices to the Security Plan.

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Attachment 3

Revised VY Renewed Facility Operating License Page
– Clean Page

(2 pages including Cover Sheet)

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G. Security Plan

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Entergy Nuclear Operations, Inc. shall fully implement and maintain in effect all provisions of the Commission-approved cyber security plan (CSP), including changes made pursuant to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). Entergy Nuclear Operations, Inc. CSP was approved by License Amendment No. 247, as supplemented by changes approved by License Amendment Nos. 251, 259, and 265.

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¹ The Training and Qualification Plan and Safeguards Contingency Plan are Appendices to the Security Plan.