



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

March 30, 2018

Mr. Corey Daniels  
Director, Nuclear Decommissioning  
Entergy Nuclear Operations, Inc.  
Vermont Yankee Nuclear Power Station  
320 Governor Hunt Rd  
Vernon, VT 05354

**SUBJECT: VERMONT YANKEE NUCLEAR POWER STATION - ISSUANCE OF  
AMENDMENT TO CHANGE THE EMERGENCY PLAN AND EMERGENCY  
ACTION LEVEL SCHEME TO REFLECT AN ISFSI-ONLY CONFIGURATION  
(EPID NO. L-2017-EPR-0001)**

Dear Mr. Daniels:

The U.S. Nuclear Regulatory Commission (NRC) has issued the enclosed Amendment No. 267 to Facility Operating License No. DPR-28 for the Vermont Yankee Nuclear Power Station (VY). The amendment consists of changes to the Facility Operating Licenses in response to your application dated May 15, 2017 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML17139D261), as supplemented by letter dated November 16, 2017 (ADAMS Accession Nos. ML17325B019 and ML17325B020).

The amendment replaces the Permanently Defueled Emergency Plan (PDEP) and its associated Permanently Defueled Emergency Action Level (EAL) Technical Bases Document with the Independent Spent Fuel Storage Installation (ISFSI) Emergency Plan and its associated ISFSI EAL Technical Bases Document. The changes will reflect the new status of the facility, as well as the reduced scope of potential radiological accidents, once all spent fuel has been moved to dry cask storage within the onsite ISFSI, an activity which is scheduled for completion by the end of 2018. The ISFSI Emergency Plan will be used at VY during the period when all spent fuel will be stored in the VY ISFSI. This change reflects the complete removal of all fuel from the spent fuel pool and permits specific reductions in the size and makeup of the Emergency Response Organization due to the elimination of the design basis accident related to the spent fuel (fuel handling accident).

The NRC staff determined that the proposed VY ISFSI Emergency Plan and associated EAL changes would continue to meet the standards in Title 10 of the *Code of Federal Regulations* (10 CFR), Section 50.47, "Emergency plans," and the requirements in Appendix E, "Emergency Planning and Preparedness for Production and Utilization Facilities," of 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities," as exempted. As such, the VY ISFSI Emergency Plan and associated EAL changes would provide reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency at the VY facility.

The supplement to the application, dated November 16, 2017, provided additional information that clarified the application, but did not expand the scope of the application as originally noticed and did not change the NRC staff's original proposed no significant hazards consideration determination as published in the *Federal Register* (FR) on July 18, 2017 (82 FR 32879).

The NRC staff has determined that its documented safety evaluation does not contain Sensitive Unclassified Non-Safeguards Information pursuant to 10 CFR 2.390, "Public inspections, exemptions, requests for withholding." In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of ADAMS. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

A copy of the related Safety Evaluation is provided in Enclosure 2. The Notice of Issuance will be included in the Commission's next biweekly *Federal Register* notice.

Sincerely,

**/RA/**

Jack D. Parrott, Senior Project Manager  
Reactor Decommissioning Branch  
Division of Decommissioning, Uranium Recovery  
and Waste Programs  
Office of Nuclear Material Safety  
and Safeguards

Docket Nos. 50-271

Enclosures:

1. Amendment No. 267 to DPR-28
2. Safety Evaluation

cc w/encls: Distribution via Listserv

C. Daniels

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SUBJECT: VERMONT YANKEE NUCLEAR POWER STATION - ISSUANCE OF AMENDMENT TO CHANGE THE EMERGENCY PLAN AND EMERGENCY ACTION LEVEL SCHEME TO REFLECT AN ISFSI-ONLY CONFIGURATION (EPID NO. L-2017-EPR-0001) **DATE March 30, 2018**

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**ADAMS Accession No.: ML18053A111**

<b>OFFICE</b>	NMSS/RDB/PM	NMSS/DUWP/LA	NSIR/DPR/RLB	OGC/NLO	NMSS/RDB/BC
<b>NAME</b>	JParrott	CHolston*	JAnderson*	KRoach*	BWatson
<b>DATE</b>	02/27/2018	03/01/2018	03/01/2018	03/16/2018	3/30/18

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

ENTERGY NUCLEAR OPERATIONS, INC.

DOCKET NO. 50-271

VERMONT YANKEE NUCLEAR POWER STATION

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 267  
License No. DPR-28

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by Entergy Nuclear Operations, Inc. (ENO or the licensee), dated May 15, 2017, as supplemented by letter dated November 16, 2017, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations set forth in Title 10 of the *Code of Federal Regulations* (10 CFR) Chapter I;
  - B. The facility will operate in conformity with the application, as supplemented, 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, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions," of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, Facility Operating License No. DPR-28 is amended by changing Section 3.B to read as follows:

The Technical Specifications contained in Appendix A, as revised through Amendment No. 267, 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 the date the licensee notifies the NRC in writing that all spent nuclear fuel assemblies have been transferred out of the spent fuel pool and have been placed in dry storage within the independent spent fuel storage installation, and shall be implemented within 60 days of the effective date.

FOR THE NUCLEAR REGULATORY COMMISSION

*/RA/*

Bruce A. Watson, CHP, Chief  
Reactor Decommissioning Branch  
Division of Decommissioning, Uranium Recovery  
and Waste Programs  
Office of Nuclear Material Safety  
and Safeguards

Attachment:  
Change to Facility  
Operating License No. DPR-28

Date of Issuance:

ATTACHMENT TO LICENSE AMENDMENT NO. 267

TO FACILITY OPERATING LICENSE NO. DPR-28

DOCKET NO. 50-271

Replace the following pages of the Facility Operating License No. DPR-28 with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the area of change.

Facility Operating License No. DPR-28

REMOVE

3

INSERT

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- A. Entergy Nuclear Operations, Inc., pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess, and use in amounts as required any byproduct, source, or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components.
  - B. 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.
1. This renewed 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:

G. This paragraph deleted by Amendment No. 263.

H. Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 267, are hereby incorporated in the license. Entergy Nuclear Operations, Inc. shall operate the facility in accordance with the Technical Specifications.

I. Reports

Entergy Nuclear Operations, Inc. shall make reports in accordance with the requirements of the Technical Specifications.

J. This paragraph deleted by Amendment No. 226.

K. 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:

- 1. This paragraph deleted by Amendment No. 206, October 22, 2001.
- 2. This paragraph deleted by Amendment 131, 10/07/91.

