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Cc: ["Anthony.Leshinskie@vermont.gov"](mailto:Anthony.Leshinskie@vermont.gov); [Tiff, Doug](#)
Subject: Vermont Yankee Nuclear Power Station - Forthcoming Issuance of a License Amendment Regarding the Requirement for the VYNPS to have a Cyber Security Plan
Date: Wednesday, April 25, 2018 11:38:00 AM
Attachments: [Vermont Yankee Cyber Security License Condition draft SFR.docx](#)

Dear Ms. Tierney,

I am writing to inform you that the US Nuclear Regulatory Commission (NRC) is considering the issuance of an amendment to the NRC license for the Vermont Yankee Nuclear Power Station (VYNPS) to remove the requirement to have a cyber security plan (CSP). Specifically this would be the removal of the 2nd paragraph of condition 3.G of the VYNPS renewed facility operating license.

The license amendment was requested by letter dated July 13, 2017 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML17198A020), by Entergy Nuclear Operations, Inc. (ENO) with a copy to you. The NRC issued a proposed finding that the amendments involve no significant hazards consideration, published in the *Federal Register* on September 26, 2017 (82 FR 44852).

The NRC staff evaluated the licensee's application using the regulatory requirements and guidance cited in section 2.0 of the attached safety evaluation. The Cyber Security Rule, as contained in 10 CFR 73.54, applies to licensees currently licensed to operate a nuclear power plant. The NRC staff has determined that 10 CFR 73.54 does not apply to reactor licensees that have submitted certifications of permanent cessation of operations and permanent removal of fuel. The licensee further determined that the fuel has cooled in the spent fuel pool (SFP) for a sufficient amount of time such that no design-basis accident could have radiological consequences that exceed the EPA Protective Action Guides. The NRC verified the licensee's analyses and its calculations and concluded that the spent fuel has decayed well beyond the minimum cooling time of 15.4 months that would allow sufficient time (10 hours) to mitigate a SFP drain down in the adiabatic case. Therefore, consequences of a cyber-attack are much lower now than while the plant was operating or the fuel in the SFP was not as cool. Based on its review of the licensee's submissions, the NRC staff concludes that ENO's request to remove the existing cyber security license conditions from the VY renewed facility license No. DPR-28 is acceptable and consistent with maintaining adequate protection of the public health and safety and the common defense and security.

If you would kindly review the attached safety evaluation prepared by the NRC staff and let me know if the State of Vermont has any comments or if you have received any comments from members of the public, I would appreciate it. I would appreciate your reply by Wednesday, May 9th, 2017, if possible.

Please feel free to contact me if you have any questions.

Jack D. Parrott
Senior Project Manager

US Nuclear Regulatory Commission

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