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Manager, Design and Program Engineering

10 CFR 50.4

BVY 18-003

July 11, 2018

ATTN: Document Control Desk
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

SUBJECT: Notification of Change to Regulatory Commitment
Vermont Yankee Nuclear Power Station
License No. DPR-28
Docket No. 50-271

- REFERENCE:
1. Letter, USNRC to Entergy Services, Inc., "Confirmatory Order (Effective Immediately) and Notice of Violation; Investigation Report Nos. 1-2009-041; 1-2010-019; and 1-2010-031; Inspection Report No. 05000333/2011009," dated January 26, 2012 (ADAMS Accession No. ML120260627)
 2. Letter, USNRC to Entergy Nuclear Operations, Inc., "Confirmation of Completion of Actions Taken by Entergy Nuclear Operations, Inc., as Set Forth in NRC Confirmatory Order Dated January 26, 2012," dated May 6, 2013 (ADAMS Accession No. ML13126A256)

Dear Sir or Madam:

By this letter Entergy Nuclear Operations, Inc. (ENO) is providing notification of a change to a regulatory commitment that relates to ongoing nuclear safety culture monitoring processes at the Vermont Yankee Nuclear Power Station (VY). The commitment change is to maintain the processes as described in Nuclear Energy Institute (NEI) 09-07, "Fostering a Strong Nuclear Safety Culture" until all spent fuel has been transferred to dry storage in the Independent Spent Fuel Storage Installation (ISFSI), rather than indefinitely as implied by the original commitment language. This commitment change was evaluated in accordance with industry guidance contained in NEI 99-04, "Guidelines for Managing NRC Commitment Changes," Revision 0. The basis for the change is described below. No NRC action is requested on this issue.

The regulatory commitment was added to VY's commitment tracking system in response to Reference 1. Specifically, Action Item V.C of Reference 1. included the following requirement:

"Within 90 days of the date of the CO [Confirmatory Order], Entergy will add a commitment to the commitment tracking system to maintain the safety culture monitoring

ADD
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processes as described in NEI 09-07 'Fostering a Strong Nuclear Safety Culture,' or similar processes, at Entergy's nine commercial nuclear power plants."

By Reference 2, the NRC concluded that Entergy had satisfied all of the terms of Reference 1. As such, the commitment is subject to the guidance of NEI 99-04 for managing NRC commitment changes.

Following permanent cessation of operations and during the transition to decommissioning, VY has maintained a nuclear safety culture monitoring process based on NEI 09-07, as part of the site's overall nuclear safety culture monitoring program. The NEI 09-07 processes, as implemented by site procedure V-EN-QV-136 "Nuclear Safety Culture Monitoring," rely on input (i.e., sources of data) from other processes and programs including the (Appendix B to 10 CFR Part 50) Corrective Action Program, Employee Concerns Program, Quality Assurance audits and inspections, site self-assessments, and NRC inspection reports.

VY's experience throughout this period has been that the participants in NEI 09-07 meetings, who have typically included a majority of the site's line management as well as representatives from the Nuclear Independent Oversight organization, Human Resources, and Employee Concerns, are informed of site issues that potentially affect nuclear safety culture. This is attributed to the significantly reduced number and complexity of activities involving nuclear safety and security, as compared to an operating reactor, and the significantly reduced staffing levels and resulting concentration of responsibilities within a much smaller site management structure. VY's experience has shown that potential nuclear safety culture issues are otherwise readily apparent to site management as a result of their involvement in the site processes and programs which provide input to the NEI 09-07 processes, without the need to apply NEI 09-07. Results of the NEI 09-07 meetings held during this period consistently confirmed that site management were previously aware of potential nuclear safety culture issues and had taken appropriate actions.

As such, VY's experience has shown that the NEI 09-07 processes are not necessary to effectively monitor and maintain nuclear safety culture once all spent fuel is transferred to dry storage in the ISFSI. At that transition, additional organizational reductions will further concentrate management responsibility to a few individuals, and activities involving nuclear safety and security will also be significantly reduced from previous levels. The change in commitment does not affect the continued use or diminish the effectiveness of other site processes and programs which serve to monitor and maintain a healthy nuclear safety culture. This change does not affect nuclear safety culture monitoring processes at Entergy's other nuclear power plants.

A summary of the commitment change is provided in Attachment 1.

Should you have any questions concerning this letter, please contact me at (802) 451-3374.

Sincerely,


CCC/tbs

Attachment: 1. Regulatory Commitment Change Summary

cc: Regional Administrator, Region 1
U.S. Nuclear Regulatory Commission
2100 Renaissance Blvd, Suite 100
King of Prussia, PA 19406-2713

Mr. Jack D. Parrott, Sr. Project Manager
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Mail Stop T-5A10
Washington, DC 20555

Ms. June Tierney, Commissioner
Vermont Department of Public Service
112 State Street – Drawer 20
Montpelier, Vermont 05602-2601

Attachment 1

Vermont Yankee Nuclear Power Station

Regulatory Commitment Change Summary

Vermont Yankee Nuclear Power Station

REGULATORY COMMITMENT CHANGE SUMMARY

COMMITMENT NUMBER	SOURCE AND DATE OF ORIGINAL COMMITMENT	DESCRIPTION
P-16989	NRC Confirmatory Order dated January 26, 2012 (ADAMS Accession No. ML120260627), Action Item V.C to add a commitment to the commitment tracking system.	<p>Original text: Maintain the safety culture monitoring processes as described in NEI 09-07 "Fostering a Strong Nuclear Safety Culture," or similar processes, at Entergy's nine commercial nuclear power plants.</p> <p>Revised text: Maintain the safety culture monitoring processes as described in NEI 09-07 "Fostering a Strong Nuclear Safety Culture," or similar processes, at the Vermont Yankee Nuclear Power Station until all spent nuclear fuel has been transferred to dry storage.</p> <p>Summary of justification: Once all spent nuclear fuel is transferred to dry fuel storage in the Independent Spent Fuel Storage Installation (ISFSI), the NEI 09-07 process is not necessary to effectively monitor nuclear safety culture due to the significantly reduced staffing levels and activities involving nuclear safety and security. Elimination of the NEI 09-07 process does not affect other programs and processes that monitor and maintain nuclear safety culture.</p>