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To the Editor,

A story in the Feb. 4<sup>th</sup> edition of the Herald stated the U.S. Nuclear Regulatory Commission (NRC) has found it would be acceptable for Entergy Nuclear to tap money in its decommissioning trust funds for covering the costs of spent fuel storage at the Vermont Yankee nuclear power plant.

To be clear, the NRC has not made such a determination. Rather, the agency's staff, in a report issued on Feb. 3, informed Entergy that it must seek an exemption from NRC regulations before such a funding approach would be allowed.

Entergy has not filed such a request, though it has acknowledged in one of its submittals that it would need to do so in order to pursue this approach.

If such an exemption request were to be filed, it would require NRC approval. To date, no such request has been approved by the Commission.

Some additional context is in order. When a nuclear power plant is within 5 years of the expiration of its initial 40-year operating license, its owner must submit to the NRC a plan for the long-term storage of the facility's spent fuel as well as a preliminary decommissioning cost estimate.

The initial license for Vermont Yankee is due to expire in March 2012 and consequently Entergy was required to provide this information. It did so early last year. The NRC staff, in turn, reviewed the submittals and issued a safety evaluation of the reports on Feb. 3.

That evaluation noted that the staff has determined the plant's program for the long-term storage of spent fuel and its preliminary decommissioning cost estimate are "adequate and provide sufficient details associated with the funding mechanisms."

Therefore, the staff concluded the spent fuel management program complies with NRC regulations and said it was approved on a preliminary basis. But to reiterate, the report also points out that preliminary approval of the spent fuel management program is "conditioned upon the filing and granting of an exemption."

The staff also found that the decommissioning cost estimate for Vermont Yankee was "reasonable," based on a calculation of what it is reasonably expected to cost to remove radioactive facilities and return the site to unrestricted use.

Should the plant's decommissioning trust funds decline significantly or should other conditions change, Entergy would be responsible for updating its spent fuel management program and restoring the decommissioning trust fund balance.

An application to extend Vermont Yankee's current license by 20 years is still under review by the NRC. If approved, it would mean that these same issues would need to be revisited at a future date.

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