



Entergy Nuclear Operations, Inc.
Vermont Yankee
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Tel 802 257 7711

Christopher J. Wamser
Site Vice President

BVY 14-030

April 24, 2014

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

SUBJECT: Technical Specifications Proposed Change No. 309, Defueled Technical Specifications and Revised License Conditions for Permanently Defueled Condition - Supplement 1 (TAC No. MF3714)
Vermont Yankee Nuclear Power Station
Docket No. 50-271
License No. DPR-28

- REFERENCES:**
1. Letter, Entergy Nuclear Operations, Inc. to USNRC, "Technical Specifications Proposed Change No. 309, Defueled Technical Specifications and Revised License Conditions for Permanently Defueled Condition," BVY 14-010, dated March 28, 2014 (TAC No. MF3714)
 2. Letter, Entergy Nuclear Operations, Inc. to USNRC, "Technical Specifications Proposed Change No. 307, Revision to Mitigation Strategy License Condition and Technical Specification Administrative Controls for Permanently Defueled Condition," BVY 13-096, dated October 31, 2013 (ML13316A004) (TAC No. MF2991)
 3. Email from USNRC to VY, "Draft RAI - TS Proposed Change 307, License Condition N," dated March 28, 2014 (Security-Related)
 4. Letter, Entergy Nuclear Operations, Inc. to USNRC, "Technical Specifications Proposed Change No. 307, Revision to Mitigation Strategy License Condition and Technical Specification Administrative Controls for Permanently Defueled Condition - Supplement 1," BVY 14-028, dated April 24, 2014

Dear Sir or Madam:

By letter dated March 28, 2014 (Reference 1), Entergy Nuclear Operations, Inc. (ENO) proposed an amendment to Renewed Facility Operating License (OL) DPR-28 for Vermont Yankee Nuclear Power Station (VY). The proposed amendment would revise the VY OL and Technical Specifications (TS) to be consistent with the expected permanently shutdown and defueled condition of VY. The markups to the OL and TS provided in Reference 1 reflected other proposed changes to the OL and TS that were submitted under separate requests, including those provided in Reference 2, which included a proposed elimination of the Mitigation Strategy License Condition (License Condition 3.N) from the VY OL.

In Reference 3, the NRC provided VY with a draft Request for Additional Information (RAI) regarding the proposed elimination of License Condition 3.N. In response to the draft RAI (Reference 4), ENO withdrew the proposed elimination of the license condition. Attachments 1 and 2 of this letter provide a revised markup and retyped pages, respectively, of the VY OL to reflect this.

Additionally, in Reference 1 ENO provided proposed changes to current TS 3/4.8.D, "Liquid Holdup Tanks," that included renumbering the existing TS as new TS 3/4.1.A. The markups and retyped pages provided for those changes inadvertently omitted a renumbering of a TS 3.8.D.1 reference in current TS 3.8.D.2 and 4.8.D.1 to TS 3.1.A.1 in proposed TS 3.1.A.2 and 4.1.A.1. Attachments 1 and 2 provide a corrected markup and retyped page, respectively.

The conclusions of the no significant hazards consideration and the environmental considerations contained in Reference 1 are not affected by, and remain applicable to, this supplement.

There are no new regulatory commitments made in this letter.

If you have any questions on this transmittal, please contact Mr. Philip Couture at 802-451-3193.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 24, 2014.

Sincerely,



CJW/plc

Attachments: 1. Markup of Operating License and Technical Specification Pages
2. Retyped Operating License and Technical Specification Pages

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

Mr. James S. Kim, Project Manager
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Mail Stop O8D15
Washington, DC 20555

cc list cont'd:

USNRC Resident Inspector
Vermont Yankee Nuclear Power Station
320 Governor Hunt Road
Vernon, VT 05354

Mr. Christopher Recchia, Commissioner
VT Department of Public Service
112 State Street, Drawer 20
Montpelier, VT 05620-2601

Attachment 1

Vermont Yankee Nuclear Power Station

Markup of Operating License and Technical Specification Pages

~~Changes to other aspects of the SDMP may be made in accordance with the guidance of NEI 99-04.~~

- ~~5. During each of the three scheduled refueling outages (beginning with the spring 2007 refueling outage), a visual inspection shall be conducted of all accessible, susceptible locations of the steam dryer, including flaws left "as is" and modifications.~~
- ~~6. The results of the visual inspections of the steam dryer conducted during the three scheduled refueling outages (beginning with the spring 2007 refueling outage) shall be reported to the NRC staff within 60 days following startup from the respective refueling outage. The results of the SDMP shall be submitted to the NRC staff in a report within 60 days following the completion of all EPU power ascension testing.~~
- ~~7. The requirements of paragraph 4 above for meeting the SDMP shall be implemented upon issuance of the EPU license amendment and shall continue until the completion of one full operating cycle at EPU. If an unacceptable structural flaw (due to fatigue) is detected during the subsequent visual inspection of the steam dryer, the requirements of paragraph 4 shall extend another full operating cycle until the visual inspection standard of no new flaws/flaw growth based on visual inspection is satisfied.~~
- ~~8. This license condition shall expire upon satisfaction of the requirements in paragraphs 5, 6, and 7 provided that a visual inspection of the steam dryer does not reveal any new unacceptable flaw or unacceptable flaw growth that is due to fatigue.~~

N. Mitigation Strategy License Condition

Develop and maintain strategies for addressing large fires and explosions and that include the following key areas:

- (a) Fire fighting response strategy with the following elements:
 1. Pre-defined coordinated fire response strategy and guidance
 2. Assessment of mutual aid fire fighting assets
 3. Designated staging areas for equipment and materials
 4. Command and control
 5. Training of response personnel
- (b) Operations to mitigate fuel damage considering the following:
 1. Protection and use of personnel assets
 2. Communications
 3. Minimizing fire spread
 4. Procedures for implementing integrated fire response strategy
 5. Identification of readily-available pre-staged equipment

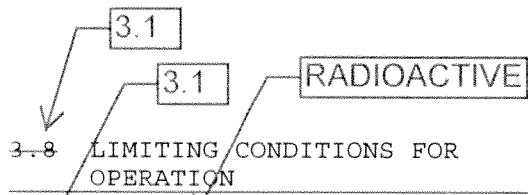
6. Training on integrated fire response strategy
7. Spent fuel pool mitigation measures

(c) Actions to minimize release to include consideration of:

1. Water spray scrubbing
2. Dose to onsite responders

Deleted

- O. ~~The licensee shall implement and maintain all Actions required by Attachment 2 to NRC Order EA-06-137, issued June 20, 2006, except the last action that requires incorporation of the strategies into the site security plan, contingency plan, emergency plan and/or guard training and qualification plan, as appropriate.~~
- P. The information in the UFSAR supplement, submitted pursuant to 10 CRF 54.21(d), as revised during the license renewal application process, and as supplemented by Commitment Nos. 1-5, 6 (as revised by Entergy Nuclear Vermont Yankee, LLC letter dated May 19, 2011), 7-36, 38, 39, 42, 43, and 45-55 of Appendix A of Supplement 2 of NUREG-1907 shall be incorporated as part of the UFSAR which will be updated in accordance with 10 CFR 50.71(e). As such, Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. may make changes to the programs and activities described in the UFSAR supplement and Commitment Nos. 1-5, 6 (as revised by Entergy Nuclear Vermont Yankee, LLC letter dated May 19, 2011), 7-36, 38, 39, 42, 43, and 45-55 of Appendix A of Supplement 2 of NUREG-1907 provided Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. evaluates such changes pursuant to the criteria set forth in 10 CFR 50.59 and otherwise complies with the requirements in that section.
- Q. This paragraph deleted by Amendment No. 256, April 17, 2013.
- R. ~~Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. shall implement the most recent staff approved version of the Boiling Water Reactor Vessels and Internals Project (BWRVIP) Integrated Surveillance Program (ISP) as the method to demonstrate compliance with the requirements of 10 CFR Part 50, Appendix H. Any changes to the BWRVIP ISP capsule withdrawal schedule must be submitted for NRC staff review and approval. Any changes to the BWRVIP ISP capsule withdrawal schedule which affects the time of withdrawal of any surveillance capsules must be incorporated into the licensing basis. If any surveillance capsules are removed without the intent to test them, these capsules must be stored in a manner which maintains them in a condition which would support re-insertion into the reactor pressure vessel, if necessary.~~



3.8 RADIOACTIVE EFFLUENTS

Applicability:

Applies to the release of all radioactive effluents from the plant.

Objective:

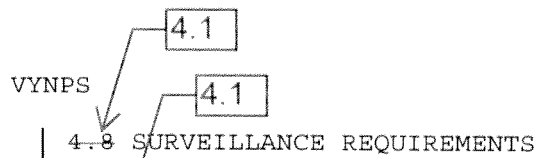
To assure that radioactive effluents are kept "as low as is reasonably achievable" in accordance with 10CFR50, Appendix I and, in any event, are within the dose limits for Members of the Public specified in 10CFR20.

Specification:

- A. Deleted
- B. Deleted
- C. Deleted

A → D. Liquid Holdup Tanks

1. The quantity of radioactive material contained in any outside tank* shall be limited to less than or equal to 10 curies, excluding tritium and dissolved or entrained noble gases.
2. With the quantity of radioactive material in any outside tank* exceeding the limit of Specification ~~3-8-D-1~~, immediately take action to suspend all additions of radioactive material to the tank. Within 48 hours, reduce the tank contents to within the limit.



4.8 RADIOACTIVE EFFLUENTS

Applicability:

Applies to the required surveillance of all radioactive effluents released from the plant.

Objective:

To ascertain that all radioactive effluents released from the plant are kept "as low as is reasonably achievable" in accordance with 10CFR50, Appendix I and, in any event, are within the dose limits for Members of the Public specified in 10CFR20.

Specification:

- A. Deleted
- B. Deleted
- C. Deleted

A → D. Liquid Holdup Tanks

1. The quantity of radioactive material contained in each of the liquid holdup tanks* shall be determined to be within the limits of Specification ~~3-8-D-1~~ by analyzing a representative sample of the tank's contents within one week following the addition of radioactive materials to the tank. One sample may cover multiple additions.

3.1.A.1

3.1.A.1

*NOTE: Tanks included in this Specification are only those outdoor tanks that are not surrounded by liners, dikes, or walls capable of holding the tank's contents, or that do not have tank overflows and surrounding area drains connected to the liquid radwaste treatment system.

Attachment 2

Vermont Yankee Nuclear Power Station

Retyped Operating License and Technical Specification Pages

- (iii) Entergy Nuclear Vermont Yankee, LLC shall establish a standby trust to receive funds from the surety, if a surety is obtained, in the event that Entergy Nuclear Vermont Yankee, LLC defaults on its funding obligations for the decommissioning of Vermont Yankee. The standby trust agreement must be in a form acceptable to the NRC, and shall conform with all conditions otherwise applicable to the decommissioning trust agreement.
- (iv) The surety agreement must provide that the agreement cannot be amended in any material respect, or terminated, without 30 days prior written notification to the Director of the Office of Nuclear Reactor Regulation.

Entergy Nuclear Vermont Yankee, LLC shall take all necessary steps to ensure that the decommissioning trust is maintained in accordance with the application for approval of the transfer of this license to Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc., and the requirements of the Order approving the transfer, and consistent with the safety evaluation supporting the Order.

Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. shall take no action to cause Entergy Global Investments, Inc., or Entergy International Holdings Ltd. LLC, or their parent companies to void, cancel, or modify the lines of credit to provide funding for Vermont Yankee as represented in the application without prior written consent of the Director of the Office of Nuclear Reactor Regulation.

| K. This paragraph deleted by Amendment No. xxx.

| L. This paragraph deleted by Amendment No. xxx.

| M. This paragraph deleted by Amendment No. xxx.

N. Mitigation Strategy License Condition

Develop and maintain strategies for addressing large fires and explosions and that include the following key areas:

- (a) Fire fighting response strategy with the following elements:
 - 1. Pre-defined coordinated fire response strategy and guidance
 - 2. Assessment of mutual aid fire fighting assets
 - 3. Designated staging areas for equipment and materials
 - 4. Command and control
 - 5. Training of response personnel
- (b) Operations to mitigate fuel damage considering the following:
 - 1. Protection and use of personnel assets
 - 2. Communications

3. Minimizing fire spread
 4. Procedures for implementing integrated fire response strategy
 5. Identification of readily-available pre-staged equipment
 6. Training on integrated fire response strategy
 7. Spent fuel pool mitigation measures
- (c) Actions to minimize release to include consideration of:
1. Water spray scrubbing
 2. Dose to onsite responders
- O. This paragraph deleted by Amendment No. xxx.
- P. The information in the UFSAR supplement, submitted pursuant to 10 CRF 54.21(d), as revised during the license renewal application process, and as supplemented by Commitment Nos. 1-5, 6 (as revised by Entergy Nuclear Vermont Yankee, LLC letter dated May 19, 2011), 7-36, 38, 39, 42, 43, and 45-55 of Appendix A of Supplement 2 of NUREG-1907 shall be incorporated as part of the UFSAR which will be updated in accordance with 10 CFR 50.71(e). As such, Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. may make changes to the programs and activities described in the UFSAR supplement and Commitment Nos. 1-5, 6 (as revised by Entergy Nuclear Vermont Yankee, LLC letter dated May 19, 2011), 7-36, 38, 39, 42, 43, and 45-55 of Appendix A of Supplement 2 of NUREG-1907 provided Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. evaluates such changes pursuant to the criteria set forth in 10 CFR 50.59 and otherwise complies with the requirements in that section.
- Q. This paragraph deleted by Amendment No. 256, April 17, 2013.
- R. This paragraph deleted by Amendment No. xxx.
- S. This paragraph deleted by Amendment No. xxx.
4. This license is effective as of the date of issuance and is effective until the Commission notifies the licensee in writing that the license is terminated.

FOR THE NUCLEAR REGULATORY COMMISSION

Original Signed By
Eric J. Leeds

Eric J. Leeds, Director
Office of Nuclear Reactor Regulation

Enclosures:
Appendix A - Technical Specifications

Date of Issuance: March 21, 2011

3.1 LIMITING CONDITIONS FOR OPERATION

3.1 RADIOACTIVE EFFLUENTS

Applicability:

Applies to the release of all radioactive effluents from the plant.

Objective:

To assure that radioactive effluents are kept "as low as is reasonably achievable" in accordance with 10CFR50, Appendix I and, in any event, are within the dose limits for Members of the Public specified in 10CFR20.

Specification:

A. Liquid Holdup Tanks

1. The quantity of radioactive material contained in any outside tank* shall be limited to less than or equal to 10 curies, excluding tritium and dissolved or entrained noble gases.
2. With the quantity of radioactive material in any outside tank* exceeding the limit of Specification 3.1.A.1, immediately take action to suspend all additions of radioactive material to the tank. Within 48 hours, reduce the tank contents to within the limit.

4.1 SURVEILLANCE REQUIREMENTS

4.1 RADIOACTIVE EFFLUENTS

Applicability:

Applies to the required surveillance of all radioactive effluents released from the plant.

Objective:

To ascertain that all radioactive effluents released from the plant are kept "as low as is reasonably achievable" in accordance with 10CFR50, Appendix I and, in any event, are within the dose limits for Members of the Public specified in 10CFR20.

Specification:

A. Liquid Holdup Tanks

1. The quantity of radioactive material contained in each of the liquid holdup tanks* shall be determined to be within the limits of Specification 3.1.A.1 by analyzing a representative sample of the tank's contents within one week following the addition of radioactive materials to the tank. One sample may cover multiple additions.

*NOTE: Tanks included in this Specification are only those outdoor tanks that are not surrounded by liners, dikes, or walls capable of holding the tank's contents, or that do not have tank overflows and surrounding area drains connected to the liquid radwaste treatment system.