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BVY 14-034

May 21, 2014

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

SUBJECT: Proposed Changes to the Vermont Yankee Emergency Plan - Supplement 1 (TAC No. MF3668)
Vermont Yankee Nuclear Power Station
Docket No. 50-271
License No. DPR-28

- REFERENCES:
1. Letter, Entergy Nuclear Operations, Inc. to USNRC, "Proposed Changes to the Vermont Yankee Emergency Plan," BVY 14-018, dated March 24, 2014 (TAC No. MF 3668)
 2. Letter, USNRC to Entergy Nuclear Operations, Inc. "Vermont Yankee Nuclear Power Station- Request For Additional Information Regarding License Amendment Request For Emergency Plan Change (TAC No. MF 3668)," dated May 5, 2014 (ADAMS Accession No. ML14115A029)

Dear Sir or Madam:

By letter dated March 24, 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 site emergency plan (SEP) for the permanently defueled condition. The proposed SEP changes would revise the on-shift staffing and Emergency Response Organization (ERO) staffing levels.

In Reference 2, the NRC provided VY with a Request for Additional Information (RAI) regarding the proposed SEP changes. Attachment 1 of this letter provides the responses to the RAI.

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.

Attachment 2 of this letter contains new regulatory commitments.

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 May 21, 2014.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris W.", followed by a horizontal line extending to the right.

CJW/plc

Attachments: 1. Response to Request for Additional Information
2. List of Regulatory Commitments

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

Mr. James S. Kim, Project Manager
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Mr. Christopher Recchia, Commissioner
VT Department of Public Service
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Attachment 1

Vermont Yankee Nuclear Power Station
Response to Request for Additional Information

REQUEST FOR ADDITIONAL INFORMATION
REGARDING AMENDMENT REQUEST FOR EMERGENCY PLAN CHANGE
ENTERGY NUCLEAR OPERATIONS, INC.
VERMONT YANKEE NUCLEAR POWER STATION
DOCKET NO. 50-271

By letter dated March 24, 2014, (Agency-wide Documents Access and Management System (ADAMS) Accession No. ML 14085A257), Entergy Nuclear Operations, Inc. (ENO) requested an amendment to the site emergency plan (SEP) for the Vermont Yankee Nuclear Power Station (VY). ENO requests review and approval of a revision to the VY SEP to revise the on-shift staffing and Emergency Response Organization (ERO) staffing prior to the approval of their concurrent emergency plan (EP) exemption request.

Formal offsite radiological emergency preparedness (REP) plans, approved by the U.S. Federal Emergency Management Agency (FEMA) in accordance with 44 CFR 350, are required to be maintained and in effect until such time as the U.S. Nuclear Regulatory Commission approves an exemption to formal offsite EP requirements. The changes proposed by ENO, specifically in regards to ERO staffing of the licensee's emergency operations facility and Joint Information Center have the potential to adversely impact the effective implementation of State and local REP plans.

The following requests for additional information (RAI) are necessary to facilitate the technical review being conducted by the Division of Preparedness and Response, Operating Reactor Licensing and Outreach Branch staff, in regards to the impact of proposed staffing changes on formal offsite REP plans that are currently required under existing EP regulations. Timely and accurate response to the draft RAI is requested in order to meet the proposed deadline requested by licensee.

RAI-VY-01

Please identify whether the proposed changes to the VY SEP were evaluated for their impact, and if the approval date and implementation period will provide adequate time to allow State and local response organizations the ability to effectively implement their FEMA-approved REP plans, specifically in regards to licensee interface and coordination with State and local response organizations. If so, please provide the evaluation performed and documentation regarding discussions with affected State and local response organizations used in making this determination.

Response

Decommissioning-related emergency plan submittals for VY have been discussed with offsite response organizations since ENO provided notification that it would permanently cease power operations at VY at the end of the current operating cycle (Reference 1). These discussions have addressed future changes to onsite and offsite emergency preparedness throughout the decommissioning process. At a meeting held on April 23, 2014, VY discussed the emergency preparedness submittals made to date, including the March 24, 2014 letter that proposed changes to the VY SEP (Reference 2). The presentation described the on-shift and ERO staffing changes proposed in Reference 2, including a specific discussion of the elimination of the Emergency

Operations Facility (EOF) Manager and the Joint Information Center (JIC) Logistics Coordinator. The April 23, 2014 meeting was attended by various emergency management representatives from Vermont, New Hampshire and Massachusetts, including the Emergency Management Directors, and by representatives from the NRC and FEMA.

The proposed changes to the VY SEP were evaluated for impacts on the ability of State and local response organizations to effectively implement their FEMA-approved REPs. This evaluation included a review of the State of Vermont Emergency Operations Plan 2013, Incident Annex 9A, Vermont Radiological Emergency Response Plan; the New Hampshire State Emergency Operations Plan Incident Annex, Radiological Emergency Response for Nuclear Facilities and Attachment A, Implementing Procedures for State Agencies dated January 2014; and the Massachusetts Standard Operating Procedures in Support of the Radiological Emergency Response Plan MEMA Region III/IV, dated February 2013. The proposed changes involve the elimination of two ERO positions that have tasks that involve direct interface with State and local officials. Section 5.2 of Reference 2 identifies these two positions as the EOF Manager and the JIC Logistics Coordinator. Attachment 5 of Reference 2 contains an analysis of all ERO positions being eliminated and the transfer of tasks to remaining ERO positions following permanent cessation of operations. The following discussion addresses the potential impacts the proposed changes to the VY SEP have on the Emergency Operations Facility/Recovery Center (EOF/RC) and the JIC and potential impacts on the ability of the offsite response organizations to implement their FEMA-approved REP Plans.

Emergency Operations Facility/Recovery Center and Joint Information Center

Because of the geographic location of the VY plant, the planning and responsibilities at the State level involve coordination with Vermont, New Hampshire, and Massachusetts. Section 7.0 of the VY SEP describes the extensive communications network between VY and these States as a means of promptly notifying and maintaining communications with appropriate authorities. As described in Section 8.5 of the VY SEP, the Shift Manager initiates the coordination effort by notifying Vermont, New Hampshire and Massachusetts State Police and providing them with information using an established message format that describes the accident status. The proposed changes to the VY SEP do not involve changes to this communications network, and as a result, do not impact the ability of VY to promptly notify and initiate coordination with the States.

The EOF/RC has been designed to meet the intent of the guidance in NUREG-0696, "Functional Criteria for Emergency Response Facilities," and the clarification in NUREG-0737, Supplement 1, "Clarification of TMI Action Plan Requirements," as applicable. The JIC meets the intent of the guidance in Planning Standard G of NUREG-0654, Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants." Following permanent cessation of operations, the EOF/RC and JIC will continue to be located at the VY Training Center on Old Ferry Road in Brattleboro, Vermont, approximately 8.75 miles from the plant site. The proposed changes (Reference 2) to the VY SEP do not involve any physical modifications to, or layout/configuration changes in, the EOF/RC and the JIC.

As described in Sections 6.1.3 and 8.5 of the VY SEP, the EOF/RC provides information needed by federal, state, and local authorities for implementation of their offsite emergency plans; is a centralized meeting location for key representatives from the agencies; and has sufficient space and design features to accommodate the ERO and responding representatives from government

and industry responsible for limiting offsite consequences. The EOF/RC serves as the near-site facility established to coordinate the activities of VY emergency response personnel; evaluate offsite accident conditions; and maintain coordination and communications with offsite response authorities. Vermont, Massachusetts, and New Hampshire representatives are provided space and communications at the EOF/RC and staff this facility at an Alert or higher classification. The EOF/RC maintains extensive communications capability with all emergency response facilities and direct links are established between the EOF/RC, Vermont, Massachusetts, and New Hampshire Emergency Operations Centers (EOCs), and the News Media Center/JIC to provide up-to-date emergency status reports. The proposed changes to the VY SEP do not involve changes to the ability of State representatives to report to the EOF/RC or the JIC, and as a result, do not impact the ability of the States to mobilize to, or operate from, the EOF/RC and JIC.

When activated, the Emergency Director reports to the EOF/RC and directs the activities of the ERO throughout the emergency and until the recovery activities have been terminated. The Emergency Director, or a designated alternate, is notified of all emergency conditions occurring at the plant and issues periodic status reports of the event to the responding State representatives. As described in Section 8.5 of the VY SEP, each State representative is responsible for transferring the content of these status reports to their respective State EOC. If additional technical expertise is required by State authorities at the State EOCs, the Emergency Director can authorize the dispatch of technical support staff to assist in the comprehension of any emergency communications. The proposed changes to the VY SEP do not reduce the ability of VY to provide the necessary information regarding the status and progression of an event or in the frequency at which event information updates are provided. Nor do the changes impact the ability to dispatch additional technical support to the State EOCs. As a result, the proposed changes do not impact the ability of VY to communicate with the offsite response organizations.

Centralized coordination of the offsite radiological assessment effort with all organizations interested in, and/or performing, assessments is necessary to ensure that the data and its interpretation are reviewed by VY and offsite response organizations with monitoring and assessment responsibilities. The number and type of organizations performing this effort vary with time and following emergency declarations and offsite notification. Initially, plant emergency response personnel are the only organization performing this function and they are directed from, and their results evaluated, at the EOF/RC. State authorities join the EOF/RC monitoring and assessment activities. Federal response agencies would augment plant and state radiological assessment efforts upon their arrival. Plant and State monitoring efforts are coordinated at the EOF/RC. The proposed changes to the VY SEP do not involve changes to offsite radiological assessment capabilities or coordination of these efforts with offsite response organizations, and as a result, do not impact the ability of offsite agencies to effectively implement their emergency plans.

VY will continue to maintain the capability to display meteorological data in the EOF/RC, maintain offsite monitoring equipment at the EOF/RC and maintain the current analytical capabilities at the EOF/RC. Additionally, VY will maintain a goal of sixty (60) minutes after declaration of an emergency to activate the EOF/RC.

EOF Manager

The EOF Manager is the only EOF/RC position being eliminated that interfaces with offsite response organization representatives. According to Section 2.8 of Attachment 2 of EPOP-EOF-

3546, *Emergency Operations Facility/Recovery Center (EOF/RC)*, the EOF Manager is responsible for briefing offsite representatives at the EOF/RC if the Lead Offsite Liaison is not available upon the offsite representatives' arrival at the facility. The Massachusetts Radiological Emergency Response Standard Operating Procedures for the State Emergency Operations Center for the EOF Liaison position (SEOC-16) states that the Massachusetts EOF Liaison receives a briefing from the EOF Manager upon arrival at the EOF. SEOC-16 also states that the EOF Liaison informs the EOF Manager upon arrival at the EOF and receives a briefing from the Site Recovery Manager (former title for the Emergency Director). The State of Vermont Emergency Operations Plan, Incident Annex 9A, Vermont Radiological Emergency Response Plan and the New Hampshire Radiological Emergency Response Plan including Attachment A, Implementing Procedures for State Agencies do not address the EOF Manager position by title.

The Lead Offsite Liaison position according to Section 2.2 of Attachment 8 of EPOP-EOF-3546, is procedurally responsible for providing initial briefings to state representatives on emergency events, current plant conditions, emergency response activities, offsite radiological release status, dose assessment and protective action recommendations (PARs) upon their arrival at the EOF/RC. The Lead Offsite Liaison is also responsible for ensuring that state representatives are updated periodically, including providing information on significant changes in plant parameters, emergency classification changes, PARs and evaluations of radiological conditions. State Health representatives at the EOF/RC can also receive updates from the Emergency Director.

The EOF Manager and Lead Offsite Liaison both currently have 60 minute response times to the EOF/RC and the Lead Offsite Liaison will continue to have a 60 minute response time following the approval of the proposed VY SEP changes. Therefore, there will be no impact in the timeliness of the initial briefing to offsite representatives following their arrival at the EOF/RC.

VY's New Hampshire and Massachusetts Offsite Liaison positions are procedurally responsible for providing a briefing on emergency status upon arrival at the New Hampshire and Massachusetts EOCs. VY's Vermont Offsite Liaison position is located in the EOF and is responsible for providing information to the Vermont state representative. Because the Lead Offsite Liaison and Offsite Liaison positions are being retained and are responsible for providing initial and periodic briefings to state and local officials in the EOF and EOCs, there is no impact on the ability of VY to communicate with offsite response organizations' representatives or the ability of offsite response organizations to implement their FEMA-approved REP plans.

In addition to the EOF Manager, Reference 2 identified the following EOF/RC positions for elimination following permanent cessation of operations:

- EOF Communicator
- Public Information Liaison
- Emergency Planning Coordinator
- IT Specialist
- EOF Log Keeper

Attachment 5 of Reference 2 contains an analysis of the EOF/RC positions that are being eliminated and identifies the tasks transferred to the positions remaining following permanent cessation of operations. The proposed changes do not alter the minimum staff necessary to declare the EOF/RC operational. The five EOF/RC positions listed above do not interface with

offsite representatives. Reassigning the tasks performed by these five positions will require revisions to applicable VY procedures.

A revision to SEOC-16 of the Massachusetts Standard Operating Procedures has been identified to address briefing responsibilities consistent with Section 2.2 of Attachment 8 of EPOP-EOF-3546 in that the Massachusetts EOF Liaison will receive briefings from the Lead Offsite Liaison upon their arrival at the EOF. A proposed markup of SEOC-16 was provided to the Massachusetts Planning, Preparedness and Nuclear Section Chief, who acknowledged the needed change on May 9, 2014.

As part of the implementation process of the approved VY SEP changes, within 30 days following approval of the changes, VY will notify the Massachusetts Emergency Management Agency to ensure the appropriate revisions are made to SEOC-16. Although no changes have been identified to either the Vermont or New Hampshire REPs, VY will also, within 30 days following approval of the changes, notify the Vermont and New Hampshire emergency management agencies to ensure a minimum of 30 days advance notice prior to implementation of the approved SEP changes. These two actions are included as new regulatory commitments in Attachment 2. The requested approval date of January 1, 2015 with a 60 day implementation period will give the Massachusetts Emergency Management Agency sufficient time (a minimum of 30 days) to revise their procedure.

Training will be developed and conducted for VY personnel, including necessary drills, to confirm that the necessary functions can be performed and the EOF/RC will maintain the ability to perform its stated functions.

Additional assurance that the elimination of the EOF Manager will not have an impact is provided in letters of agreement (LOA) in place with Vermont, New Hampshire and Massachusetts that establish conditions regarding emergency planning notification and emergency response activities should an event at the plant require Emergency Plan activation. Each LOA has the following element that each State and VY agrees to:

The Vermont Yankee Lead Offsite Liaison will be the point of contact for State representatives arriving at the Emergency Operations Facility. Responsibilities of the State and Licensee personnel will be as outlined in their respective Emergency Plans.

JIC Logistics Coordinator

The JIC Logistics Coordinator is the only JIC position being eliminated that interfaces with offsite response organization representatives. The duties of the JIC Logistics Coordinator for copying and distributing press releases in the JIC to State and local officials are being transferred to the JIC Manager. The JIC Manager is currently responsible for ensuring press release information is communicated to the offsite agencies; coordinating press releases with the offsite agencies; and ensuring appropriate timing, content and distribution of press releases. These relatively simple tasks will not impact the ability of the JIC Manager to fulfill the assigned duties. The Vermont, New Hampshire and Massachusetts plans do not address the JIC Logistics Coordinator position by title; therefore, the transfer of these tasks has no impact on the ability of the offsite response organizations to implement their FEMA-approved REP plans.

In addition to the JIC Logistics Coordinator, Reference 2 identified the following JIC positions for elimination following permanent cessation of operations:

- Information Coordinator
- Press Release Writer
- Technical Assistant
- JIC Log Keeper
- Inquiry Response Coordinator
- Media Monitor/Status Phone Recorder
- Credentialing

Attachment 5 of Reference 2 contains an analysis of the JIC positions that are being eliminated and identifies the tasks reassigned to the positions remaining following permanent cessation of operations. The seven JIC positions listed above do not interface with offsite representatives and no revisions to the Vermont, New Hampshire and Massachusetts plans have been identified to address elimination of the JIC positions.

Reassigning the tasks of these seven positions will require revisions to applicable VY procedures and training will be developed and conducted for VY personnel, including necessary drills, to confirm that the necessary functions can be performed and the JIC will maintain the ability to perform its stated functions.

Summary

The proposed changes to the VY SEP were evaluated for impacts on the ability of State and local response organizations to effectively implement their FEMA-approved REPs. Potential impacts do not exist because no tasks that require interfacing with State and local response organizations are proposed for elimination. VY has appropriately addressed elimination of ERO positions that interface with offsite representatives by transferring the necessary tasks to remaining positions. The Massachusetts Emergency Management Agency has been notified of a procedure change needed to update a reference to the EOF Manager position that will be eliminated.

RAI-VY-02

If potential impacts to offsite response organizations (OROs) exist, have the proposed changes to the VY SEP been reviewed and agreed upon by the affected OROs to ensure they can continue to meet the requirements of their current FEMA-approved emergency plans? Please provide documentation that the affected OROs have reviewed and concurred on the proposed changes.

Response

As stated in the RAI 1 response, potential impacts to OROs do not exist as a result of the proposed changes. There is no impact as a result of a position title change in a single State procedure to be updated upon notification of approval of the proposed changes.

References

1. Letter, Entergy Nuclear Operations, Inc. to USNRC, "Notification of Permanent Cessation of Power Operations," BVY 13-079, dated September 23, 2013 (ML13273A204)
2. Letter, Entergy Nuclear Operations, Inc. to USNRC, "Proposed Changes to the Vermont Yankee Emergency Plan," BVY 14-018, dated March 24, 2014 (ML14085A257) (TAC No. MF 3668)

Attachment 2

Vermont Yankee Nuclear Power Station

List of Regulatory Commitments

List of Regulatory Commitments

This table identifies actions discussed in this letter for which Entergy commits to perform. Any other actions discussed in this submittal are described for the NRC's information and are **not** commitments.

COMMITMENT	TYPE (Check one)		SCHEDULED COMPLETION DATE (If Required)
	ONE-TIME ACTION	CONTINUING COMPLIANCE	
Notify the Massachusetts Emergency Management Agency to ensure the appropriate revisions are made to SEOC-16 of the Massachusetts Standard Operating Procedures upon approval of the changes to the VY SEP.	x		Within 30 days following approval of the proposed SEP changes.
Notify the Vermont and New Hampshire emergency management agencies upon approval of the changes to the VY SEP.	x		Within 30 days following approval of the proposed SEP changes.