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December 15, 2004

Docket No. 50-271

BVY 04-135

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

References: (1) Letter, Wayne D. Lanning to Jay K Thayer, "NRC Emergency Preparedness Program – Vermont Yankee Inspection Report 05000271/2004009; Preliminary White Finding," dated November 12, 2004

**Subject: Vermont Yankee Nuclear Power Station**  
**Response to NRC Inspection Report 2004-09,**  
**Preliminary White Finding**

We have reviewed your letter dated November 12, 2004 regarding a preliminary white finding related to the Vermont Yankee (VY) emergency preparedness prompt alert notification system. This system as described in the Alert and Notification System Design Report dated February 1984 consists of two primary means for providing the public living within the 10-mile radius emergency planning zone (EPZ) with notifications of an emergency condition at the Vermont Yankee Nuclear Station. Those means are sirens and tone alert radios (TARs).

We concur with your assessment that Vermont Yankee did not provide adequate active measures to positively assure distribution of TARs as described in the 1984 Design Report. We believe that the safety significance of this condition is substantially mitigated by the fact that other means of public notification, not described in the 1984 Design Report are available. These other means include, but are not limited to, radio and television broadcasting, use of automatic telephone dialing/notification systems, pagers and cell phones.

Subsequent to the determination that the existing prompt alert notification system was not in conformance with the 1984 Design Report, VY in cooperation with the EPZ towns in Vermont, New Hampshire and Massachusetts implemented the emergency plan established compensatory measure, use of Route Alerting, in the EPZ as an additional primary method of notification. VY's siren reliability has been very good as evidenced by our current NRC Reactor Oversight Process Performance Indicator value of 99.3% (test success rate average for the last four quarters).

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We acknowledge that our methods of communication, distribution and maintenance of TARs to designated households did not provide for a verifiable accounting method that people in the EPZ had radios or had refused radios. VY is fully investigating the issues surrounding this topic, to identify underlying causes and to determine appropriate corrective actions.

There are no new commitments being made in this submittal.

If you have any questions or require additional information, please contact Mr. James M. Devincentis at (802) 258-4236.

Sincerely,

  
Jay K. Thayer  
Site Vice President

cc: Mr. Richard B. Ennis, Project Manager  
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