

September 22, 2005

Mr. Michael Kansler
President
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

SUBJECT: VERMONT YANKEE NUCLEAR POWER STATION - INSTRUMENTATION
TECHNICAL SPECIFICATIONS (TAC NO. MB8714)

Dear Mr. Kansler:

By letter dated April 25, 2003, as supplemented on May 21, 2003, June 11, 2003, and June 30, 2005, Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. submitted a proposed license amendment to the Nuclear Regulatory Commission (NRC or Commission) for the Vermont Yankee Nuclear Power Station (VYNPS). The proposed changes would have revised the VYNPS Technical Specifications (TSs) related to instrumentation to correct deficiencies in the TSs, reduce operator work-arounds, improve and correct confusing and ambiguous TS requirements, and allow for process enhancements. In a telephone conference call on August 30, 2005, we informed members of your staff that we would not be able to approve all of the requested changes as described in your application and its supplements. You also informed us that you would not, at this time, re-submit your application by withdrawing the changes that were not sufficiently justified. As a result of this conference call and subsequent discussions with the Director of the Division of Licensing Project Management, Mr. Ledyard B. Marsh, you withdrew your amendment request by letter dated September 7, 2005. Members of your staff also stated that you intend to submit a revised amendment application in the future that would address the concerns raised by the NRC Staff. The purpose of this letter is to inform you of some of the problems we encountered with your amendment request.

Your proposed amendment would have revised portions of the VYNPS TSs, specifically, Sections 2.1, "Limiting Safety System Setting"; 3.1, "Reactor Protection System"; 3.2, "Protective Instrument System"; associated Surveillance Requirements; and other TSs with similar requirements as these instrumentation TS sections. You also stated that the Improved Standard Technical Specifications (ISTS), NUREG 1433, Revision 2, "Standard Technical Specifications, General Electric Plants, BWR [boiling-water reactor]/4", dated April 30, 2001, was used as the guidance for developing your proposed changes. As stated in the preface to NUREG 1433, "Licensees adopting portions of the ISTS to existing technical specifications should adopt all related requirements, as applicable, to achieve a high degree of standardization and consistency."

The NRC staff found in your application that when adopting portions of the ISTS, you did not in many instances adopt all related requirements including ISTS formatting and related surveillance requirements of the ISTS. This was specifically true for the changes that were noted as "L" Technical Changes or "Less Restrictive." These are changes where requirements are relaxed, relocated, eliminated, or new flexibility is provided. For these less restrictive changes, the NRC staff expects that each change must have its own stand-alone justification, that is usually plant specific, regardless of whether it matches the corresponding ISTS requirement. The justification must support the conclusion that the revised requirement affords an adequate level of safety.

Simply referencing the ISTS is not sufficient for justification of less restrictive changes to your TSs. There is no safety evaluation or model plant that supports the ISTS. Each licensee must ensure that the selected ISTS will work and can be justified for their particular plant application.

If you decide to re-submit your application at a later date, you may want to meet with our technical staff to discuss your amendment request. You may also want to discuss with the NRC staff a complete conversion to the ISTS. The Commission continues to place the highest priority on requests for complete conversions to the ISTS. If you have any questions, please contact Mr. Richard B. Ennis, your NRC project manager, at (301) 415-1420.

Sincerely,

/RA by Richard J. Laufer for/

Cornelius F. Holden, Director
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-271

cc: See next page

Simply referencing the ISTS is not sufficient for justification of less restrictive changes to your TSS. There is no safety evaluation or model plant that supports the ISTS. Each licensee must ensure that the selected ISTS will work and can be justified for their particular plant application.

If you decide to re-submit your application at a later date, you may want to meet with our technical staff to discuss your amendment request. You may also want to discuss with the NRC staff a complete conversion to the ISTS. The Commission continues to place the highest priority on requests for complete conversions to the ISTS. If you have any questions, please contact Mr. Richard B. Ennis, your NRC project manager, at (301) 415-1420.

Sincerely,

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Cornelius F. Holden, Director
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Vermont Yankee Nuclear Power Station

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