

August 28, 2006

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

SUBJECT: VERMONT YANKEE NUCLEAR POWER STATION - WITHDRAWAL OF AN
AMENDMENT REQUEST RE: CONTROL ROD OPERABILITY (TAC NO.
MC5488)

Dear Mr. Kansler:

By letter dated December 15, 2004, as supplemented on December 12, 2005, and July 6, 2006, Entergy Nuclear Operations, Inc. submitted a proposed license amendment to the Nuclear Regulatory Commission (NRC) for the Vermont Yankee Nuclear Power Station (VY). The proposed changes would have revised the VY Technical Specifications (TSs) related to control rod operability, scram time and control rod accumulator technical specification surveillance testing requirements. In a telephone conference call on July 20, 2006, we informed members of your staff that we would not be able to approve the requested amendment as justified by your application and its supplements. As a result of these discussions, you withdrew your amendment request by letter dated August 10, 2006. The purpose of this letter is to inform you of some of the issues we encountered with your original amendment request in the event that you decide to resubmit this application at a later date.

Your proposed change would have revised the surveillance requirements (SRs) for verifying control rod coupling integrity as described in TS 4.3.B.1, revised the scram insertion time limiting conditions for operation (LCOs) and SRs as described in TS 3.3.C and 4.3.C, and enhanced TS 3.3.D and 4.3.D, the LCO and SR for control rod accumulators.

The NRC staff concluded that in response to our requests for additional information (RAI), you did not adequately answer the concerns related to the proposed scram times with slow rods and how they are conservative in relation to the analytical scram reactivity curve. Also, the most recent RAI response dated July 6, 2006, changed the approach for justifying the slow scram times from a VY specific evaluation to a more generic approach that modeled the Standard Technical Specifications scram reactivity curve. This approach may be valid for VY, however, you did not provide sufficient detailed information in your docketed submittals or in your explanation during our conference call to demonstrate to the staff that the revised generic method was conservative and safe for VY.

M. Kansler

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If you decide to re-submit your application at a later date, you may want to meet with our technical staff to discuss the application to ensure it will meet our expectations.

The Commission has filed the enclosed Notice of Withdrawal of Application for Amendment to Facility Operating License with the Office of the Federal Register for publication.

If you have any questions, please contact me at (301) 415-1388.

Sincerely,

/RA/

James Shea, Project Manager
Project Directorate I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-271

Enclosure: Notice of Withdrawal

cc w/encl: See next page

M. Kansler

- 2 -

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cc w/encl: See next page

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Official Record Copy

Vermont Yankee Nuclear Power Station

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Vermont Yankee Nuclear Power Station

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UNITED STATES NUCLEAR REGULATORY COMMISSION

VERMONT YANKEE NUCLEAR POWER STATION

DOCKET NO. 50-271

NOTICE OF WITHDRAWAL OF APPLICATION FOR

AMENDMENT TO FACILITY OPERATING LICENSE

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Entergy Nuclear Operations, Inc. (the licensee) to withdraw its December 15, 2004, application for proposed amendment to Facility Operating License No. DPR-28 for the Vermont Yankee Nuclear Power Station, located in Windham County.

The proposed amendment would have revised the Technical Specifications pertaining to control rod operability, scram time and control rod accumulator technical specification surveillance testing requirements. The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the FEDERAL REGISTER on January 18, 2005 (70 FR 2889). However, by letter dated August 10, 2006, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated December 15, 2004, as supplemented on December 12, 2005, and July 6, 2006, and the licensee's letter dated August 10, 2006, which withdrew the application for license amendment. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management Systems (ADAMS) Public Electronic Reading Room on the internet at the NRC Web site, <http://www.nrc.gov/reading-rm.html>. Persons who do not have access to ADAMS or who

encounter problems in accessing the documents located in ADAMS should contact the NRC PDR Reference staff by telephone at 1-800-397-4209, or 301-415-4737 or by email to pdr@nrc.gov.

Dated at Rockville, Maryland, this 28th day of August 2006.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

James Shea, Project Manager
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation