



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PA 19406-1415

March 4, 2009

Mr. Michael Colomb
Site Vice President
Entergy Nuclear Operations, Inc.
Vermont Yankee Nuclear Power Station
Vernon, VT 05354

SUBJECT: ANNUAL ASSESSMENT LETTER – VERMONT YANKEE NUCLEAR POWER STATION (Report 05000271/2009001)

Dear Mr. Colomb:

On February 11, 2009, the NRC staff completed its performance review of the Vermont Yankee Nuclear Power Station (Vermont Yankee). Our technical staff reviewed performance indicators (PIs) for the most recent quarter and inspection results for the period from January 1 through December 31, 2008. The purpose of this letter is to inform you of our assessment of your safety performance during this period and our plans for future inspections at your facility.

This performance review and enclosed inspection plan do not include security information. A separate letter designated and marked as "Official Use Only – Security Related Information" will include the security cornerstone review and resultant inspection plan.

Overall, Vermont Yankee operated in a manner that preserved public health and safety and fully met all cornerstone objectives. Plant performance for the most recent quarter, as well as for the first three quarters of the assessment cycle, was within the Licensee Response column of the NRC's Action Matrix, based on all inspection findings being classified as having very low safety significance (Green) and all PIs indicating performance at a level requiring no additional NRC oversight (Green). Therefore, we plan to conduct reactor oversight process (ROP) baseline inspections at your facility.

The staff identified six inspection findings for the current twelve month assessment period with a documented cross-cutting theme in the aspect of procedure and document adequacy (H.2(c))¹. The NRC first identified this theme in our mid-cycle assessment letter dated September 2, 2008 [ML082470005]², and concluded that a substantive cross-cutting issue did not exist because you had recognized the theme and had taken or scheduled to take appropriate corrective actions. During this assessment period, we reviewed your corrective action plan and identified no concerns with your implementation. Furthermore, in the last six months of this assessment period, the staff identified only one inspection finding with this aspect, which reflects an improving trend. Therefore, the NRC determined that a substantive cross-cutting issue in the

¹ This is a descriptor which correlates to the cross cutting aspect in Inspection Manual Chapter 0305, "Operating Reactor Assessment Program."

² Designation in parentheses refers to an ADAMS ascension number. Documents referenced in this letter are publicly available using the ascension number in ADAMS.

area of Human Performance does not exist at this time. We will monitor your progress in the area of procedure and document adequacy through the baseline inspection program, including a focused review of your procedure upgrade action plan execution. In addition, we will review your progress and completed actions during the biennial problem identification and resolution inspection scheduled for April 2009.

The enclosed inspection plan details the inspections, less those related to physical protection, scheduled through June 30, 2010. In addition to the baseline inspections, an independent spent fuel storage installation inspection will be performed. The inspection plan is provided to allow for the resolution of any scheduling conflicts and personnel availability issues well in advance of inspector arrival onsite. Routine resident inspections are not listed due to their ongoing and continuous nature. The inspections in the last nine months of the inspection plan are tentative and may be revised at the mid-cycle review.

In accordance with 10CFR2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be made available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

If circumstances arise which cause us to change this inspection plan, we will contact you to discuss the change as soon as possible. Please contact me at 610-337-5306 with any questions you may have regarding this letter or the inspection plan.

Sincerely,

/RA/ Original Signed By:

Donald E. Jackson, Chief
Projects Branch 5
Division of Reactor Projects

Docket Nos. 50-271
License No. DPR-28

Enclosure: Vermont Yankee Inspection/Activity Plan

cc w/encl:

Vice President, Operations, Entergy Nuclear Operations
Senior Vice President, Entergy Nuclear Operations
Vice President, Oversight, Entergy Nuclear Operations
Senior Manager, Nuclear Safety & Licensing, Entergy Nuclear Operations
Senior Vice President and COO, Entergy Nuclear Operations
Assistant General Counsel, Entergy Nuclear Operations
Manager, Licensing, Entergy Nuclear Operations
Hon. Molly Kelly, New Hampshire Senate
S. Lousteau, Treasury Department, Entergy Services, Inc.
D. O' Dowd, Administrator, Radiological Health Section, DPHS, State of New Hampshire
W. Irwin, Chief, CHP, Radiological Health, Vermont Department of Health
Chief, Safety Unit, Office of the Attorney General, Commonwealth of Mass.
D. Lewis, Pillsbury, Winthrop, Shaw, Pittman LLP
G. D. Bisbee, Esquire, Deputy Attorney General, Environmental Protection Bureau
J. P. Matteau, Executive Director, Windham Regional Commission
D. Katz, Citizens Awareness Network (CAN)
R. Shadis, New England Coalition Staff
G. Sachs, President/Staff Person, c/o Stopthesale
J. Volz, Chairman, Public Service Board, State of Vermont
Chairman, Board of Selectman, Town of Vernon
C. Pope, State of New Hampshire, SLO
D. O'Brien, State of Vermont, SLO
J. Giarrusso, SLO, MEMA, Commonwealth of Massachusetts
J. Angil, II, Manager, Vermont Emergency Management Agency
U. Vanags, State Nuclear Engineer, Vermont Department of Public Service
J. Block, Esquire
S. Shaw
G. Edwards

area of Human Performance does not exist at this time. We will monitor your progress in the area of procedure and document adequacy through the baseline inspection program, including a focused review of your procedure upgrade action plan execution. In addition, we will review your progress and completed actions during the biennial problem identification and resolution inspection scheduled for April 2009.

The enclosed inspection plan details the inspections, less those related to physical protection, scheduled through June 30, 2010. In addition to the baseline inspections, an independent spent fuel storage installation inspection will be performed. The inspection plan is provided to allow for the resolution of any scheduling conflicts and personnel availability issues well in advance of inspector arrival onsite. Routine resident inspections are not listed due to their ongoing and continuous nature. The inspections in the last nine months of the inspection plan are tentative and may be revised at the mid-cycle review.

In accordance with 10CFR2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be made available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

If circumstances arise which cause us to change this inspection plan, we will contact you to discuss the change as soon as possible. Please contact me at 610-337-5306 with any questions you may have regarding this letter or the inspection plan.

Sincerely,
/RA/ Original Signed By:

Donald E. Jackson, Chief
 Projects Branch 5
 Division of Reactor Projects

Distribution w/encl:
 S. Collins, RA
 M. Dapas, DRA
 D. Lew, DRP
 J. Clifford, DRP
 S. Campbell, RI, OEDO
 J. Lubinski, NRR
 M. Kowal, NRR
 J. Kim, PM, NRR
 J. Hughey, NRR
 D. Jackson, DRP
 A. Rao, DRP

G. Newman, DRP
 R. Fernandes, DRP, SRI
 B. Sienel, DRP, RI
 A. Rancourt, DRP, OA
 Region I Docket Room
 (w/concurrences)
RidsNrrDirslpab@nrc.gov
 Institute of Nuclear Power
 Operations (INPO)
ROPreports.Resource@nrc.gov
 D. Roberts, DRS
 DD, DRS

DRS Branch Chiefs
 L. Scholl, DRS
 D. Silk, DRS
 D. Screnci, PAO
 N. Sheenan, PAO
 R. Barkley, ORA

SUNSI Review Complete: DEJ* (Reviewer's Initials)

Adams Accession No.

DOC. NAME: S:\ROP-9 EOC REVIEW\BRANCH 5\ANNUAL ASSESSMENT LETTERS\2008 ANNUAL ASSESSMENT LETTER VY REV 4.DOC

After declaring this document "An Official Agency Record" it will **will not** be released to the Public.
 To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE		RI/DRP	RI/DRP
NAME		JLilliendahl/jl*	DJackson/dej
DATE		03/ 03 /09	03/03/09

*See prior concurrence OFFICIAL RECORD COPY

Unit Number	Planned Dates Start	Planned Dates End	Inspection Activity	Title	No. of Staff on Site
1	01/12/2009	01/16/2009	2/9 EXM U01743	- INITIAL OPERATOR LICENSING EXAMS FY09 - VERMONT YANKEE INITIAL OPERATOR LICENSING EXAM	4
1	02/09/2009	02/20/2009	U01743	FY09 - VERMONT YANKEE INITIAL OPERATOR LICENSING EXAM	
1	01/01/2009	12/31/2009	ISFSI IP 60855	- ANNUAL SAMPLE - ISFSI INSPECTION Operation Of An ISFSI	1
1	03/09/2009	03/13/2009	71121 IP 7112101	- OCC RAD SAFETY Access Control to Radiologically Significant Areas	1
1	03/09/2009	03/13/2009	IP 7112102	ALARA Planning and Controls	
1	04/06/2009	04/10/2009	71152B IP 71152B	- PI&R BIENNIAL TEAM Identification and Resolution of Problems	6
1	04/20/2009	04/24/2009	IP 71152B	Identification and Resolution of Problems	
1	05/18/2009	05/22/2009	71122.03 IP 7112203	- PUB RAD SAFETY - REMP Radiological Environmental Monitoring Program (REMP) And Radioactive Material Control Program	1
1	06/07/2009	06/13/2009	EP EXER IP 711401	- EP EXERCISE INSPECTION Exercise Evaluation	2
1	06/07/2009	06/13/2009	IP 711404	Emergency Action Level and Emergency Plan Changes	
1	06/07/2009	06/13/2009	IP 71151-EP01	Drill/Exercise Performance	
1	06/07/2009	06/13/2009	IP 71151-EP02	ERO Drill Participation	
1	06/07/2009	06/13/2009	IP 71151-EP03	Alert & Notification System	
1	09/14/2009	09/18/2009	71121 IP 7112101	- OCC RAD SAFETY Access Control to Radiologically Significant Areas	1
1	09/14/2009	09/18/2009	IP 7112102-7112102R	ALARA - Required	
1	09/21/2009	09/25/2009	7111107T IP 7111107T	- HEAT SINK INSP Heat Sink Performance	1
1	11/16/2009	11/20/2009	MODS IP 711117T	- PERMANENT PLANT MODIFICATIONS Evaluations of Changes, Tests, or Experiments and Permanent Plant Modifications	3
1	12/07/2009	12/11/2009	IP 711117T	Evaluations of Changes, Tests, or Experiments and Permanent Plant Modifications	
1	11/16/2009	11/20/2009	2515/173 IP 2515/173	- GROUNDWATER TI Review of the Implementation of the Industry Ground Water Protection Voluntary Initiative	1
1	11/16/2009	11/20/2009	IP 71151	Performance Indicator Verification	
1	01/01/2010	12/31/2010	ISFSI IP 60855	- ANNUAL SAMPLE - ISFSI INSPECTION Operation Of An ISFSI	1
1	05/03/2010	05/07/2010	7111108G IP 7111108G	- INSERVICE INSPECTION Inservice Inspection Activities - BWR	1

This report does not include INPO and OUTAGE activities.
 This report shows only on-site and announced inspection procedures.

Unit Number	Planned Dates Start	Planned Dates End	Inspection Activity	Title	No. of Staff on Site
1	05/03/2010	05/07/2010	71121.01 IP 7112101	- HP OUTAGE INSPECTION Access Control to Radiologically Significant Areas	1
1	05/03/2010	05/07/2010	IP 7112102-7112102R	ALARA - Required	1
1	05/31/2010	06/04/2010	71121.02 IP 7111402	EP PROGR - EP PROGRAM INSPECTION Alert and Notification System Testing	1
1	05/31/2010	06/04/2010	IP 7111403	Emergency Response Organization Augmentation Testing	
1	05/31/2010	06/04/2010	IP 7111404	Emergency Action Level and Emergency Plan Changes	
1	05/31/2010	06/04/2010	IP 7111405	Correction of Emergency Preparedness Weaknesses and Deficiencies	
1	05/31/2010	06/04/2010	IP 71151	Performance Indicator Verification	
1	05/24/2010	05/28/2010	71121.03 IP 7112103	- HP INSTRUMENTS Radiation Monitoring Instrumentation and Protective Equipment	1

This report does not include INPO and OUTAGE activities.
 This report shows only on-site and announced inspection procedures.