

March 28, 2014

Via Electronic Mail

Jon Groveman  
General Counsel  
Vermont Department of Environmental Conservation  
Agency of Natural Resources  
1 National Life Drive  
Montpelier, VT 05620

**Re: Vermont Yankee's Review and Response to the Vermont Agency of Natural Resources' Proposed Draft NPDES Permit Language**

Dear Mr. Groveman:

Entergy appreciates the opportunity to review sections of the Vermont Agency of Natural Resources' (VANR) proposed draft NPDES permit for the remainder of Vermont Yankee's operations in 2014. The language in the draft permit has been reviewed by Vermont Yankee's technical experts in the Systems Engineering, Operations, and Computer Engineering Departments, as well as Vermont Yankee's Water Resources Engineer and Fisheries Scientist experts from Normandeau Associates. The attached memo details Vermont Yankee's and Normandeau's review of the proposed language and its resulting impact to Vermont Yankee.

The Environmental Advisory Committee, in its November 2013 letter to the VANR, recommended closed cycle cooling for the remainder of 2014. At our meeting on March 18, 2014, VANR representatives indicated that the agency was not planning to issue a permit that required Vermont Yankee to implement closed cycle cooling, but would instead propose permit language that effects changes to the seasonal permitting periods and thermal limits.

Upon review of the proposed thermal language, all technical experts agree that the draft VANR permit indeed will result in closed cycle cooling for the remainder of 2014 and that it will significantly increase the biological monitoring program beyond what has been performed for the past several decades. Additionally, compliance based on inputs from Vernon Dam and Turners Falls is problematic since Vermont Yankee operators do not have direct access to that information.

We are aware of no new information prompting such a change from the existing permit language and thus Vermont Yankee's existing operations. The existing permit and thermal discharge have been vetted thoroughly by the Vermont courts and, more recently, by the Public Service Board, which held that the evidence was not sufficient to establish an actual impairment to the Connecticut River. *See*, Public Service Board Order, Docket 7862, March 28, 2014, at 66-68.



Following these reviews, we are concerned that Vermont Yankee cannot be operated in a manner that will comply with the proposed thermal limits and that there is no biological evidence to support the proposed changes. Although Entergy is committed to working with the VANR, we believe the permit should remain unchanged for the remainder of this year. We are prepared to begin discussions immediately regarding a mutually agreeable post shutdown permit.

Sincerely,



Kelli M. Dowell  
Assistant General Counsel – Environmental

Attachment

cc: Alyssa Schuren