Template NRR-058

Mr. Samuel L. Newton
Vice President, Operations
Vermont Yankee Nuclear Power Corporation
185 Old Ferry Road
Brattleboro, VT 05301

March 9, 2000

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SUBJECT: VERMONT YANKEE NUCLEAR POWER STATIO
AMENDMENT UNDER EXIGENT CIRCUMSTANC
ISOLATION VALVE SURVEILLANCE REQUIREME

Dear Mr. Newton:

The Commission has issued the enclosed Amendment No. 185 to Facility Operating License DPR-28 for the Vermont Yankee Nuclear Power Station, in response to your application dated February 11, 2000.

The amendment deletes the requirement to exercise the main steam isolation valves (MSIVs) twice weekly by partial closure and subsequent re-opening from the Technical Specifications (TSs). Testing of the MSIVs to demonstrate their safety function will continue to be performed on a quarterly basis in accordance with the Vermont Yankee Inservice Testing program, TSs, and applicable provisions of Section XI of the ASME Boiler and Pressure Vessel Code. The TS change is being issued under exigent circumstances as a follow-up amendment to the Notice of Enforcement Discretion 00-06-01, dated February 14, 2000 (orally granted on February 10, 2000).

A copy of the related Safety Evaluation is also enclosed. Notice of Issuance will be included in the Commission's biweekly Federal Register notice.

Sincerely,
/RA/
Richard P. Croteau, Project Manager, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-271

Enclosures: 1. Amendment No. 185 to License No. DPR-28
2. Safety Evaluation

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 9, 2000

Mr. Samuel L. Newton
Vice President, Operations
Vermont Yankee Nuclear Power Corporation
185 Old Ferry Road
Brattleboro, VT 05301

SUBJECT: VERMONT YANKEE NUCLEAR POWER STATION - ISSUANCE OF AMENDMENT UNDER EXIGENT CIRCUMSTANCES RE: MAIN STEAM ISOLATION VALVE SURVEILLANCE REQUIREMENTS (TAC NO. MA8188)

Dear Mr. Newton:

The Commission has issued the enclosed Amendment No. 185 to Facility Operating License DPR-28 for the Vermont Yankee Nuclear Power Station, in response to your application dated February 11, 2000.

The amendment deletes the requirement to exercise the main steam isolation valves (MSIVs) twice weekly by partial closure and subsequent re-opening from the Technical Specifications (TSs). Testing of the MSIVs to demonstrate their safety function will continue to be performed on a quarterly basis in accordance with the Vermont Yankee Inservice Testing program, TSs, and applicable provisions of Section XI of the ASME Boiler and Pressure Vessel Code. The TS change is being issued under exigent circumstances as a follow-up amendment to the Notice of Enforcement Discretion 00-06-01, dated February 14, 2000 (orally granted on February 10, 2000).

A copy of the related Safety Evaluation is also enclosed. Notice of Issuance will be included in the Commission's biweekly Federal Register notice.

Sincerely,

Richard P. Croteau, Project Manager, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-271

Enclosures:
1. Amendment No. 185 to License No. DPR-28
2. Safety Evaluation

cc w/encls: See next page

Vermont Yankee Nuclear Power Station

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UNITED STATES
**NUCLEAR REGULATORY COMMISSION**
WASHINGTON, D.C. 20555-0001

VERMONT YANKEE NUCLEAR POWER CORPORATION

DOCKET NO. 50-271

VERMONT YANKEE NUCLEAR POWER STATION

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 185
License No. DPR-28

1. The Nuclear Regulatory Commission (the Commission) has found that:

   A. The application for amendment filed by the Vermont Yankee Nuclear Power Corporation (the licensee) dated February 11, 2000, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;

   B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;

   C. There is reasonable assurance: (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;

   D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and

   E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 3.B of Facility Operating License No. DPR-28 is hereby amended to read as follows:

   (B) Technical Specifications

   The Technical Specifications contained in Appendix A, as revised through Amendment No. 185, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of its date of issuance and shall be implemented prior to March 25, 2000.

FOR THE NUCLEAR REGULATORY COMMISSION

James W. Clifford, Chief, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical Specifications

Date of Issuance: March 9, 2000

ATTACHMENT TO LICENSE AMENDMENT NO. 185

FACILITY OPERATING LICENSE NO. DPR-28

DOCKET NO. 50-271

Replace the following pages of the Appendix A Technical Specifications with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the area of change.

| Remove | Insert |
|---|---|
| 156 | 156 |
| 171 | 171 |

## 3.7 LIMITING CONDITIONS FOR OPERATION

5. Core spray and LPCI pump lower compartment door openings shall be closed at all times except during passage or when reactor coolant temperature is less than 212°F.

D. Primary Containment Isolation Valves

1. During reactor power operating conditions all containment isolation valves and all instrument line flow check valves shall be operable except as specified in Specification 3.7.D.2.

## 4.7 SURVEILLANCE REQUIREMENTS

5. The core spray and LPCI lower compartment openings shall be checked closed daily.

D. Primary Containment Isolation Valves

1. Surveillance of the primary containment isolation valves should be performed as follows:

   a. The operable isolation valves that are power operated and automatically initiated shall be tested for automatic initiation and the closure times specified in Table 4.7.2 at least once per operating cycle.

   b. Operability testing of the primary containment isolation valves shall be performed in accordance with Specification 4.6.E.

   c. At least once per quarter, with the reactor power less than 75 percent of rated, trip all main steam isolation valves (one at a time) and verify closure time.

BASES: 4.7 (Cont'd)

D. Primary Containment Isolation Valves

Those large pipes comprising a portion of the reactor coolant system whose failure could result in uncovering the reactor core are supplied with automatic isolation valves (except those lines needed for emergency core cooling system operation or containment cooling). The closure times specified herein and per Specification 4.6.E are adequate to prevent loss of more cooling from the circumferential rupture of any of these lines outside the containment than from a steam line rupture. Therefore, the isolation valve closure times are sufficient to prevent uncovering the core.

Purge and vent valve testing performed by Allis-Chalmers has demonstrated that all butterfly purge and vent valves installed at Vermont Yankee can close from full open conditions at design basis containment pressure. However, as an additional conservative measure, limit stops have been added to valves 16-19-7/7A, limiting the opening of these valves to 50° open while operating, as requested by NRC in their letter of May 22, 1984. (NVY 84-108)

In order to assure that the doses that may result from a steam line break do not exceed the 10CFR100 guidelines, it is necessary that no fuel rod perforation resulting from the accident occur prior to closure of the main steam line isolation valves. Analyses indicate the fuel rod cladding perforations would be avoided for the main steam valve closure times, including instrument delay, as long as 10.5 seconds. The test closure time limit of five seconds for these main steam isolation valves provides sufficient margin to assure that cladding perforations are avoided and 10CFR100 limits are not exceeded. Redundant valves in each line ensure that isolation will be effected applying the single failure criteria.

The main steam isolation valves are primary containment isolation valves and are tested in accordance with the requirements of the Inservice Testing program.

The containment is penetrated by a large number of small diameter instrument lines. The flow check valves in these lines are tested for operability in accordance with Specification 4.6.E.

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 185 TO FACILITY OPERATING LICENSE NO. DPR-28

VERMONT YANKEE NUCLEAR POWER CORPORATION

VERMONT YANKEE NUCLEAR POWER STATION

DOCKET NO. 50-271

## 1.0 INTRODUCTION

By letter dated February 11, 2000, the Vermont Yankee Nuclear Power Corporation (the licensee) submitted a request to amend the Vermont Yankee Nuclear Power Station (VY) Technical Specifications (TSs) under exigent circumstances as defined in 10 CFR 50.91. The proposed change would modify the TSs to implement a change that was the subject of a Notice of Enforcement Discretion dated February 14, 2000 (orally granted on February 10, 2000). The proposed amendment would delete the requirement to exercise the main steam isolation valves (MSIVs) twice weekly by partial closure and subsequent re-opening. Testing of the MSIVs to demonstrate their safety function will continue to be performed on a quarterly basis in accordance with the Vermont Yankee Inservice Testing (IST) program and applicable provisions of Section XI of the ASME Boiler and Pressure Vessel Code (ASME Code).

## 2.0 EVALUATION

The licensee proposed deleting TS surveillance requirement (SR) 4.7.D.1.d which states:

> At least twice per week, the main steam line isolation valves shall be exercised by partial closure and subsequent reopening.

The licensee stated that this SR is no longer necessary to assure safe reactor operation and reliability of the MSIVs. MSIV testing will continue to be performed in accordance with SRs 4.7.D.1.a, 4.7.D.1.b, and 4.7.D.1.c. SR 4.7.D.1.c requires tripping all MSIVs (one at a time) quarterly to verify closure time.

The licensee stated that the requirement to exercise MSIVs twice weekly was originally incorporated into the TS at the time VY was first licensed to operate. The purpose of this frequent, partial stroke test was to provide indirect assurance that the valve actuator is operable and will function as intended when necessary. Because of a distinctive design, the former MSIV solenoid-operated pilot valves were susceptible to binding, which could compromise MSIV performance. To compensate for this potential, twice-weekly testing was conducted to provide assurance of valve reliability. The earlier design pneumatic control valves were replaced a number of years ago with those of a different manufacturer and different design. Long-term operating experience (VY and industry) has since demonstrated superior reliability of the replacement components. Although the solenoid-operated pilot valves that were susceptible to binding were replaced, the TS had not been revised to eliminate the twice-weekly

exercise of the MSIVs. The licensee stated that the requirement to exercise MSIVs twice weekly is unnecessary based on the design and reliability of components in the MSIV actuator.

The SR 4.7.D.1.d test is a slow, partial closure of each MSIV. The testing arrangement is designed to give a slow closure of the MSIV to avoid rapid changes in steam flow and nuclear system pressure, which could induce a transient condition. The control room operator performs the MSIV exercise test by manually depressing a pushbutton switch, which energizes a test pilot solenoid causing a 3-way flow control valve to slowly relieve pneumatic pressure from the actuator. As the MSIV slowly closes, the operator monitors the control room panel indicating lights to verify valve movement. When the MSIV is still about 90% of full open, the operator releases the test pushbutton, reversing the flow control valve and causing the MSIV to return to the full open position. The partial closure test does not directly test the (2-way and 4-way) pilot valves used for fast closure of the MSIVs, but rather actuates a test pilot valve of the same manufacturer. This somewhat indirect indication of MSIV reliability is not as valid a test as the quarterly, full-stroke, fast-closure of the MSIVs (SR 4.7.D.1.c) since it does not activate the other pilot valves, nor does it test the isolation safety function of the MSIVs.

The quarterly surveillance SR 4.7.D.1.c tests the safety function of the valves and ensures that the closure times are within the limits of operability for the MSIVs as specified in TS Table 4.7.2 and assumed in VY accident analyses. The twice weekly testing to partially close and subsequently reopen MSIVs per TS 4.7.D.I.d is not required by the ASME Code and is not necessary to demonstrate adequate safety performance of the MSIVs.

The NRC staff evaluated the licensee's submittal and concluded that the proposed change does not involve a significant increase in risk to the safe operation of VY. The ASME Code requires quarterly testing of this valve. Performing the fast closure testing required by TS 4.7.D.1.c accomplishes the ASME Code required testing. The twice weekly testing to partially close and subsequently reopen MSIVs is not required by the ASME Code and is not necessary to demonstrate adequate safety performance of the MSIV. The twice weekly partial closure and reopening test utilizes the 3-way valve on the actuator air control unit. The 3-way valve is installed solely for the purpose of performing the slow speed partial closure test by venting the underside piston air through an adjustable flow restriction and allowing the spring force to slowly close the MSIV. This 3-way valve is not used during the fast closure test or normal actuation of the MSIV. Fast closure of the MSIV is controlled through separate 2-way and 4-way valves. The NRC staff has concluded that the proposed change is acceptable because: 1) the quarterly fast closure test per TS 4.7.D.1.c, which is being retained in the TS, verifies that the MSIV can perform its safety function; 2) the quarterly fast closure test per TS 4.7.D.1.c satisfies the ASME Code-required test; and 3) the 3-way valve used in the twice weekly test per TS 4.7.D.1.d is not repositioned for fast closure (safety function) of the MSIVs.

Based on these considerations, the staff had earlier concluded that Criterion 1 of Section B and the applicable criteria in Section C.4 to NRC Manual Chapter 9900, "Technical Guidance, Operations - Notice of Enforcement Discretion (NOED)," were met and granted a NOED. Criterion 1 of Section B states that for an operating plant, the NOED is intended to avoid an undesirable transient as a result of forcing compliance with the license condition, and thus minimize the potential safety consequences and operational risks. This exigent amendment supersedes and terminates the previously granted NOED.

The licensee also proposed associated Bases changes to reflect the SR change. The staff does not object to the proposed Bases changes.

## 3.0 EXIGENT CIRCUMSTANCES

In its submittal, the licensee requested that the NRC review and approve the proposed change as an exigent amendment. The Commission's regulation as stated in 10 CFR 50.91 provides special exceptions for the issuance of amendments when the usual 30-day public notice period cannot be met. This TS change is issued as a follow-up amendment to NOED 00-06-01, which was orally granted on February 10, 2000. The public notification used was a shortened individual Federal Register notice (65 FR ) with a comment period of 2 weeks and maintaining the normal 30-day period to request a hearing.

The licensee stated that during performance of the TS-required partial closure test on MSIV-80C, operations personnel noticed that the time to return to the full open position seemed unusually long during several of the recent tests. The licensee observed that only the partial opening time for MSIV-80C was erratic during the twice-weekly surveillance. This opening function is not a safety function credited in the station safety analyses. The apparent root cause of the intermittent time to return to the full open position on MSIV-80C is a slow shifting or partial shifting of the 3-way valve on the actuator air control unit. The 3-way valve is installed solely for the purpose of performing the slow speed partial closure test by venting the underside piston air through an adjustable flow restriction and allowing the spring force to slowly close the MSIV. This 3-way valve is not used during the fast closure test or normal actuation of the MSIV. Fast closure of the MSIV is controlled through separate 2-way and 4-way valves. The safety function of the MSIVs is to quickly isolate the main steam lines in the event of a postulated steam line break or control rod drop accident in order to limit the loss of reactor coolant and/or the release of radioactive materials. The MSIVs perform a safety function by mitigating the consequences of accidents; however, an operational transient can be initiated by the inadvertent closure of MSIVs. The fast closure requirements of TS 4.7.D.1.c were satisfactorily performed prior to start up from the fall 1999 refueling outage and again on February 9, 2000. Satisfactory performance of this test provides a high degree of confidence that the cause of the slow return to the full open position experienced during partial closure testing does not affect the ability of the MSIV to perform its safety function to close within 3 to 5 seconds. A review of the potential root causes of the observed condition did not indicate that there are any common mode issues that would impact the components that support actuation of the MSIV closure to support performance of the credited safety function.

The licensee stated that prior to January 17, 2000, there was no indication of degradation of MSIV partial-closure testing performance. A review of inservice testing data for all MSIVs since 1996 indicates all MSIVs have met acceptance criteria relative to demonstrating isolation (full closure) times within 3-5 seconds as required by the TSs and assumed in accident analyses. VY could not have anticipated the need for processing this change under 10 CFR 50.91(a)(6) since the circumstance described above is recently occurring and is only evident in three recent partial-closure tests. The situation was unavoidable considering the past reliable performance of the MSIVs and their pneumatic actuators. The subject test pilot valve was refurbished in 1998 as part of scheduled preventive maintenance on the MSIV pneumatic actuator unit. Prior to January 17, 2000, VY had no indication of degradation of the suspected test pilot valve. Based on the preceding discussion, the NRC staff finds that (1) exigent circumstances exist, as provided for in 10 CFR 50.91(a)(6), in that the licensee and the Commission must act quickly

and that time does not permit the Commission to publish a Federal Register notice allowing 30 days for prior public comment, and (2) the licensee has not failed to use its best efforts to make a timely application and avoid creating the exigent circumstance. The NRC has also determined that the amendment request involves no significant hazards consideration, and that appropriate conditions existed which resulted in the need for the exigent request.

## 4.0 FINAL NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION

The Commission has provided standards for determining whether a significant hazards consideration exists (10 CFR 50.92(c)). A proposed amendment to an operating license for a facility involves no significant hazards consideration if operation of the facility in accordance with the proposed amendment would not: (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety.

The licensee has analyzed the proposed amendment to determine if a significant hazards consideration exists, as follows:

1. The operation of Vermont Yankee Nuclear Power Station in accordance with the proposed amendment will not involve a significant increase in the probability or consequences of an accident previously evaluated.

   The frequency of MSIV testing is not assumed to be an initiator of any analyzed event. This change will not alter the basic operation of process variables, structures, systems, or components as described in the safety analyses. The twice-weekly exercise of MSIVs is not intended to verify the safety function of the MSIVs. The safety function testing will continue to be conducted during the quarterly, full-stroke fast closure MSIV test. However, eliminating unnecessary testing of the MSIVs may reduce the probability of occurrence of an inadvertent valve closure that could lead to a plant transient condition.

   Deleting the twice-weekly MSIV test is not considered to have any measurable effect on the reliability of the MSIVs to perform their safety function; therefore, the mitigating function of the MSIVs is maintained. The consequences of accidents previously evaluated will not be affected by this change because the surveillances to test MSIVs in accordance with the IST [inservice testing] program and Section XI of the ASME Code will still be performed, assuring that MSIVs will perform their intended safety function.

   Since reactor operation with the deleted surveillance specification is fundamentally unchanged, no design or analytical acceptance criteria will be exceeded. As such, this change does not impact initiators of analyzed events nor assumed mitigation of design basis accident or transient events.

   These changes do not affect the initiation of any event, nor do they negatively impact the mitigation of any event. Therefore, the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. The operation of Vermont Yankee Nuclear Power Station in accordance with the proposed amendment will not create the possibility of a new or different kind of accident from any accident previously evaluated.

   The proposed change does not affect any parameters or conditions that could contribute to the initiation of an accident. The proposed change does not involve a physical alteration of the plant (no new or different type of equipment will be installed). No new accident modes are created since the manner in which the plant is operated is fundamentally unchanged. This change to surveillance requirements does not affect the design or function of safety-related equipment, nor does it eliminate testing to verify a safety function. Therefore, the proposed changes will not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. The operation of Vermont Yankee Nuclear Power Station in accordance with the proposed amendment will not involve a significant reduction in a margin of safety.

   Testing the MSIVs by full stroke closure on a quarterly basis is adequate to maintain reliability of the MSIVs to perform their safety function. This has been demonstrated through industry operating experience. Since frequency or method of MSIV testing is not specifically considered in any safety analysis, current safety analysis assumptions are being maintained. The reduction in testing from a twice-weekly exercise (partial closure and re-opening) while maintaining the quarterly full-stroke test is adequate to maintain the reliability of this safety function while reducing unnecessary valve wear and the potential for inducing an inadvertent transient. Consequently, margins of safety are maintained.

   There is no impact on equipment design or operation, and there are no changes being made to safety limits or safety system settings that would adversely affect plant safety because of the proposed changes. Since the changes have no effect on any safety analysis assumption or initial condition, the margins of safety in the safety analyses are maintained.

The staff has reviewed the licensee's analysis and agrees with it. The staff thus makes a final determination that this amendment does not involve a significant hazards consideration.

## 5.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Vermont State official was notified of the proposed issuance of the amendment. The State official had no comment.

## 6.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 and changes surveillance requirements. The NRC staff has determined that the amendment involves no significant increase in amounts, and no significant change in the types of any effluents that may

be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has made a final determination that the amendment involves no significant hazards consideration. Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

## 7.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: R. Croteau

Date: March 9, 2000