

August 29, 1985

Docket No. 50-271

Mr. R. W. Capstick
Licensing Engineer
Vermont Yankee Nuclear Power Corporation
1671 Worcester Road
Framingham, Massachusetts 01701

Dear Mr. Capstick

SUBJECT: ORDER MODIFYING LICENSE CONFIRMING ADDITIONAL LICENSEE
COMMITMENTS ON EMERGENCY RESPONSE CAPABILITY
(SUPPLEMENT 1 TO NUREG-0737)

Re: Vermont Yankee Nuclear Power Station

The Commission has issued the enclosed Order confirming your additional commitments on emergency response capability. This Order is based on your letters dated October 31, 1984 and February 1 and June 21, 1985 which commits to the schedules specified in the Table attached to the Order. The Table has also been updated to reflect any extensions that have been previously granted and to show status of work that has been completed to date.

This Order pertains to the schedules for the Safety Parameter Display System and Regulatory Guide 1.97 requirements.

A copy of this Order is being filed with the Office of the Federal Register for publication.

Sincerely,

Original signed by/

Domenic B. Vassallo, Chief
Operating Reactors Branch #2
Division of Licensing

Enclosure:
Order

cc w/enclosure:
See next page

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Mr. R. W. Capstick
Vermont Yankee Nuclear Power Corporation
Vermont Yankee Nuclear Power Station

cc:

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	Docket Nos. 50-271
)	
VERMONT YANKEE NUCLEAR POWER CORPORATION)	
)	
(Vermont Yankee Nuclear Power Station))	

ORDER MODIFYING LICENSE CONFIRMING ADDITIONAL LICENSEE COMMITMENTS
ON EMERGENCY RESPONSE CAPABILITY

I.

Vermont Yankee Nuclear Power Station (the licensee) is the holder of Facility Operating License No. DPR-28 which authorizes the operation of the Vermont Yankee Nuclear Power Station, (the facility) at steady-state power levels each not in excess of 1593 megawatts thermal. The facility is a boiling water reactor (BWR) located in Windham County, Vermont.

II.

Following the accident at Three Mile Island Unit No. 2 (TMI-2) on March 28, 1979, the Nuclear Regulatory Commission (NRC) staff developed a number of proposed requirements to be implemented on operating reactors and on plants under construction. These requirements included Operational Safety, Siting and Design, and Emergency Preparedness and are intended to provide substantial additional protection in the operation of nuclear facilities and significant upgrading of emergency response capability based on the experience from the accident at TMI-2 and official studies and investigations of the accident. The requirements are set forth in NUREG-0737, "Clarification of TMI Action Plan Requirements," and in Supplement 1

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to NUREG-0737, "Requirements for Emergency Response Capability." Among these requirements are a number of items consisting of emergency response facility operability, emergency procedure implementation, addition of instrumentation, possible control room design modifications, and specific information to be submitted.

On December 17, 1982, a letter (Generic Letter 82-33) was sent to all licensees of operating reactors, applicants for operating licenses, and holders of construction permits enclosing Supplement 1 to NUREG-0737. In this letter, operating reactor licensees and holders of construction permits were requested to furnish the following information, pursuant to 10 CFR 50.54(f), no later than April 15, 1983:

- (1) A proposed schedule for completing each of the basic requirements for the items identified in Supplement 1 to NUREG-0737, and
- (2) A description of plans for phased implementation and integration of emergency response activities including training.

III.

The licensee responded to Generic Letter 82-33 by letter dated April 19, 1983. By letters dated August 4 and 12, and November 16, 1983, the licensee modified several dates as a result of negotiations with the NRC staff. In these submittals, the licensee made commitments to complete the basic requirements. The licensee's commitments included (1) dates for providing required submittals to the NRC, (2) dates for implementing certain requirements, and (3) a schedule for providing implementation dates for other requirements. The staff found that these dates were reasonable and

achievable dates for meeting the Commission requirements and concluded that the schedule proposed by the licensee would provide timely upgrading of the licensee's emergency response capability. On June 12, 1984, the NRC issued "Order Confirming Licensee Commitments on Emergency Response Capability" which confirmed the licensee's commitments. By letters dated June 12 and August 22, 1984 and May 31, 1985, the licensee requested that the completion dates for Regulatory Guide 1.97 and implementation of the Upgrade Emergency Operating Procedures (EOPs) requirements (Items 3a., 3b. and 4b. of the Table attached to the June 12, 1984 Order) be extended. By letters dated September 28, 1984 and June 6, 1985, the NRC granted this extension.

IV.

The June 12, 1984 Order stated that for those requirements for which the licensee committed to a schedule for providing implementation dates, those dates would be reviewed, negotiated and confirmed by a subsequent order. In conformance with the milestones in the June 12, 1984 Order, as modified by the NRC letters dated September 28, 1984 and June 6, 1985, the licensee letters dated October 31, 1984 and February 1 and June 21, 1985 provided completion schedules for the following requirements:

- | | |
|---|---|
| 1. Safety Parameter Display System (SPDS) | 1b. SPDS fully operational and operators trained. |
| 3. Regulatory Guide 1.97 - Application to Emergency Response Facilities | 3b. Implement (installation or upgrade) requirements. |

The attached Table summarizing the licensee's schedular commitments for the above items was developed by the NRC from the information provided by the licensee. The staff reviewed the licensee's October 31, 1984 and February 1 and June 21, 1985 letters and discussed the dates with the licensee.

The NRC staff finds that these dates are reasonable and achievable dates for meeting the Commission requirements. The NRC staff concludes that the schedule proposed by the licensee will provide timely upgrading of the licensee's emergency response capability.

In view of the foregoing, I have determined that the implementation of the licensee's commitments are required in the interest of the public health and safety and should, therefore, be confirmed by an immediately effective Order.

V.

Accordingly, pursuant to Sections 102, 161f, 161o and 182 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR Part 2.204 and 10 CFR Part 50, IT IS HEREBY ORDERED, EFFECTIVE IMMEDIATELY, That Facility Operating License No. DPR-28 modified to provide that the licensee shall:

Implement items 1b and 3b described in the Attachment to this ORDER in the manner described in the licensee's submittals noted in Section IV herein no later than the dates in the Attachment.

Extension of time for completing these items may be granted by the Director, Division of Licensing, for good cause shown.

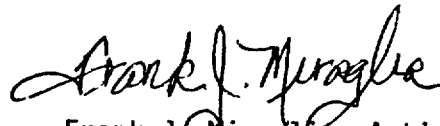
The licensee or any person with an adversely affected interest may request a hearing on this Order within 20 days of the date of publication of this Order in the FEDERAL REGISTER. Any request for a hearing should be addressed to the Director, Office of Nuclear Reactor Regulation, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555. A copy should be sent to the Executive Legal Director at the same address. A REQUEST FOR HEARING SHALL NOT STAY THE IMMEDIATE EFFECTIVENESS OF THIS ORDER.

If a hearing is to be held, the Commission will issue an Order designating the time and place of any such hearing.

If a hearing is held concerning this Order, the issue to be considered at the hearing shall be whether the licensee should comply with the requirements set forth in Section V of this Order.

This Order is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Frank J. Miraglia, Acting Director
Division of Licensing
Office of Nuclear Reactor Regulation

Dated in Bethesda, Maryland
this 29th day of August 1985.

Attachment:
Licensee's Additional Commitments
on Requirements Specified in
Supplement 1 to NUREG-0737

LICENSEE'S COMMITMENTS ON SUPPLEMENT 1 TO NUREG-0737

TITLE	REQUIREMENT	LICENSEE'S COMPLETION SCHEDULE (OR STATUS)
1. Safety Parameter Display System (SPDS)	1a. Submit a safety analysis and an implementation plan to the NRC.	Completed
	1b. SPDS fully operational and operators trained.	Prior to start up for cycle 14 (approximately Fall 1988)
2. Detailed Control Room Design Review (DCRDR)	2a. Submit a program plan to the NRC.	Completed
	2b. Submit a summary report to the NRC including a proposed schedule for implementation.	Completed
3. Regulatory Guide 1.97 - Application to Emergency Response Facilities	3a. Submit a report to the NRC describing how the requirements of Supplement 1 to NUREG-0737 have been or will be met.	Completed
	3b. Implement (installation or upgrade) requirements.	Prior to start up for cycle 13 (approximately Summer 1987)
4. Upgrade Emergency Operating Procedures (EOPs)	4a. Submit a Procedures Generation Package to the NRC.	Completed
	4b. Implement the upgraded EOPs.	Prior to start up for cycle 12 (approximately Spring 1986)
5. Emergency Response Facilities	5a. Technical Support Center fully functional.	Fully functional except that data acquisition will be complete when SPDS is complete
	5b. Operational Support Center fully functional.	Completed
	5c. Emergency Operations Facility fully functional.	November 1, 1985