

June 2, 2003

Mr. Jay K. Thayer
Site Vice President - Vermont Yankee
Entergy Nuclear Vermont Yankee, LLC
P.O. Box 0500
185 Old Ferry Road
Brattleboro, VT 05302-0500

SUBJECT: VERMONT YANKEE NUCLEAR POWER STATION - ISSUANCE OF
AMENDMENT RE: ONE-TIME EXTENSION OF APPENDIX J TYPE A
INTEGRATED LEAKAGE RATE TEST INTERVAL (TAC NO. MB6507)

Dear Mr.Thayer:

The Commission has issued the enclosed Amendment No. 215 to Facility Operating License DPR-28 for the Vermont Yankee Nuclear Power Station, in response to your application dated October 4, 2002.

The amendment would change the Technical Specifications by extending the primary containment integrated leak rate testing interval from 10 years to no longer than 10.6 years on a one-time basis.

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/

Robert M. Pulsifer, 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. 215 to
License No. DPR-28
2. Safety Evaluation

cc w/encls: See next page

Vermont Yankee Nuclear Power Station

cc:

Regional Administrator, Region I
U. S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406

Mr. David R. Lewis
Shaw, Pittman, Potts & Trowbridge
2300 N Street, N.W.
Washington, DC 20037-1128

Ms. Christine S. Salembier, Commissioner
Vermont Department of Public Service
112 State Street
Montpelier, VT 05620-2601

Mr. Michael H. Dworkin, Chairman
Public Service Board
State of Vermont
112 State Street
Montpelier, VT 05620-2701

Chairman, Board of Selectmen
Town of Vernon
P.O. Box 116
Vernon, VT 05354-0116

Mr. Michael Hamer
Operating Experience Coordinator
Entergy Nuclear Vermont Yankee, LLC
P.O. Box 250
Governor Hunt Road
Vernon, VT 05354

G. Dana Bisbee, Esq.
Deputy Attorney General
33 Capitol Street
Concord, NH 03301-6937

Chief, Safety Unit
Office of the Attorney General
One Ashburton Place, 19th Floor
Boston, MA 02108

Ms. Deborah B. Katz
Box 83
Shelburne Falls, MA 01370

Mr. Raymond N. McCandless
Vermont Department of Health
Division of Occupational
and Radiological Health
108 Cherry Street
Burlington, VT 05402

Mr. Gautam Sen
Manager, Licensing
Entergy Nuclear Vermont Yankee, LLC
P.O. Box 0500
185 Old Ferry Road
Brattleboro, VT 05302-0500

Resident Inspector
Vermont Yankee Nuclear Power Station
U. S. Nuclear Regulatory Commission
P.O. Box 176
Vernon, VT 05354

Director, Massachusetts Emergency
Management Agency
ATTN: James Muckerheide
400 Worcester Rd.
Framingham, MA 01702-5399

Jonathan M. Block, Esq.
Main Street
P.O. Box 566
Putney, VT 05346-0566

Mr. Michael R. Kansler
Sr. Vice President and Chief Operating
Officer
Entergy Nuclear Operations, Inc.
Mail Stop 12A
440 Hamilton Ave.
White Plains, NY 10601

Mr. John J. Kelly
Director, Licensing
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

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PUBLIC R. Pulsifer OGC ACRS C. Anderson, RI
PDI-2 R/F S. Weerakkody G. Hill (2) W. Beckner J. Pulsipher
J. Clifford C. Raynor F. Arner, RI J. Bobiak, RI

*See Previous Concurrence

ADAMS Accession No.: ML031320686; TS(s): ML ; Package: ML

OFFICE	PDI-2/PM	PDI-2/LA	SPLB/SC*	OGC*	PDI-2/SC
NAME	RPulsifer	CRaynor	SWeerakkody	RHoefling	JClifford
DATE	5/29/03	5/29/03	05/06/03	05/23/03	5/30/03

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ENTERGY NUCLEAR VERMONT YANKEE, LLC

AND ENTERGY NUCLEAR OPERATIONS, INC.

DOCKET NO. 50-271

VERMONT YANKEE NUCLEAR POWER STATION

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 215

License No. DPR-28

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment filed by Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. (the licensees), dated October 4, 2002, 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. 215, 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 within 60 days.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

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: June 2, 2003

ATTACHMENT TO LICENSE AMENDMENT NO. 215

FACILITY OPERATING LICENSE NO. DPR-28

DOCKET NO. 50-271

Replace the following page of the Appendix A Technical Specifications with the attached revised page. The revised page is identified by amendment number and contains marginal lines indicating the areas of change.

Remove
265

Insert
265

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. _____ TO FACILITY OPERATING LICENSE NO. DPR-28
ENERGY NUCLEAR VERMONT YANKEE, LLC
AND ENERGY NUCLEAR OPERATIONS, INC.
VERMONT YANKEE NUCLEAR POWER STATION
DOCKET NO. 50-271

1.0 INTRODUCTION

By letter dated October 4, 2002, Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. (the licensees), submitted a request to amend the Vermont Yankee Nuclear Power Station Technical Specifications (TSs). The proposed amendment would revise the TSs by extending the primary containment integrated leak rate testing (ILRT) interval from 10 years to no longer than 10.6 years on a one-time basis.

2.0 REGULATORY EVALUATION

Title 10 of the *Code of Federal Regulations* (10 CFR), Part 50, Appendix J, Option B requires that a Type A test be conducted at a periodic interval based on historical performance of the overall containment system. Vermont Yankee TS 6.7.C. requires that leakage rate testing be performed as required by 10 CFR Part 50, Appendix J, Option B, as modified by approved exemptions, and in accordance with the guidelines contained in Regulatory Guide (RG) 1.163, "Performance-Based Containment Leak-Test Program," dated September 1995. This RG endorses, with certain exceptions, Nuclear Energy Institute (NEI) report 94-01, Revision 0, "Industry Guideline for Implementing Performance-Based Option of 10 CFR Part 50, Appendix J," dated July 26, 1995.

A Type A test is an overall (integrated) leakage rate test of the containment structure. NEI 94-01 specifies an initial test interval of 48 months, but allows an extended interval of 10 years, based upon two consecutive successful tests. There is also a provision for extending the test interval an additional 15 months, but this "should be used only in cases where refueling schedules have been changed to accommodate other factors." The most recent two Type A tests at Vermont Yankee have been successful, so the current interval requirement is 10 years. The Vermont Yankee refueling outages happen to fall such that the next Type A test would have to be performed approximately 9 years after the most recent one, because the following refueling outage would be 10.6 years after the most recent Type A test, and the extension allowed by NEI 94-01 does not apply. Thus, the licensee is requesting a TS change to add one more operating cycle to the test interval.

The licensee is requesting additions to TS 6.7.C, "Primary Containment Leak Rate Testing Program," which would indicate that they are allowed to take an exception from the guidelines

of RG 1.163 regarding the Type A test interval. Specifically, the proposed TS states that the first Type A test after the April 1995 Type A test shall be performed no later than November 2005.

3.0 TECHNICAL EVALUATION

NEI 94-01 allows an additional 15 months to be added on to the 10-year interval at the discretion of the licensee, but with the restriction that it "should be used only in cases where refueling schedules have been changed to accommodate other factors." The purpose of this restriction is to prevent a licensee from arbitrarily adding the 15 months on to every testing interval, which would effectively change the interval permanently to 11.25 years. The safety and risk significance of the 15-month extension has already been incorporated into the models used to determine the acceptability of the testing interval. In this case, the staff considers the short extension of 7 months to be a reasonable request, considering the Vermont Yankee testing history and other factors, discussed below.

The last two Type A tests at Vermont Yankee were conducted in 1992 and in 1995. The results of both tests were less than 50% of the allowable limit of 0.8% by weight/day. Additionally, there have been no permanent or temporary modifications to the containment structure, liner, or penetrations since the last Type A test that could adversely affect the Type A test results. No modifications that require a Type A test are planned prior to the 2005 refueling outage, when the next Type A test will be performed under this proposed change. Any unplanned modifications to the containment prior to the next scheduled Type A test would be subject to the special testing requirements of Section 9.2.4 of NEI 94-01 and Section XI of the ASME Boiler and Pressure Vessel Code. There have been no pressure or temperature excursions in the containment which could have adversely affected containment integrity. There is no anticipated addition or removal of plant hardware within the primary containment which could affect leak-tightness.

Actual test results of the previous Type A tests for the current service period showed no degradation in the ability of the containment to maintain leakage at, or below, the required limits. Type B and C Local Leak Rate Tests will continue to be performed at the frequency required by the TSs, with repairs being made as necessary.

Vermont Yankee has established procedures for performing visual examination of the accessible surfaces of the containment for detection of structural problems. RG 1.163, Regulatory Position C.3 specifies that these examinations should be conducted prior to initiating a Type A test and during two other outages before the next Type A test, if the interval for the Type A test has been extended to ten years, in order to allow for early detection of evidence of structural deterioration. These visual examinations have been completed, with no significant defects noted to date.

It is noted that a visual inspection is also conducted in accordance with the Containment Inservice Inspection (ISI) requirements, per 10 CFR 50.55a(b)(2)(vi) and Subsection IWE of Section XI of the ASME Boiler and Pressure Vessel Code.

Based on the foregoing evaluation, the staff finds that there are no significant increases in risk or reductions in safety resulting from the requested test extension, beyond those already considered in the establishment of the intervals allowed by RG 1.163 and NEI 94-01. Further,

the Vermont Yankee containment has a good leakage rate history, has not been significantly modified or stressed, and has passed the required visual and ISI inspections. Therefore, the staff concludes that the requested TS change, increasing the Type A test interval one time to 10.6 years, is acceptable.

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 comments.

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. 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 previously issued a proposed finding that the amendment involves no significant hazards consideration, and there has been no public comment on such finding (67 FR 68736). 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: J. Pulsipher

Date: June 2, 2003