

June 19, 1996

EA No. 96-171

Mr. Donald Reid
Vice President, Operations
Vermont Yankee Nuclear Power Corporation
RD 5, Box 169
Ferry Road
Brattleboro, Vermont 05301

SUBJECT: NRC INTEGRATED INSPECTION REPORT 50-271/96-05 AND
NOTICE OF VIOLATION

Dear Mr. Reid:

On May 11, 1996, the NRC completed an inspection at your Vermont Yankee reactor facility. The enclosed report presents the results of that inspection.

During the 6-week period covered by this inspection period, your conduct of activities at the Vermont Yankee facility was generally characterized by safety-conscious operations, sound engineering and maintenance practices, and careful radiological work controls.

Your radioactive gaseous effluent control and radiological environmental monitoring programs were inspected during this period with emphasis in the area of advanced off-gas (AOG) system operation. The inspector noted proper functioning of the AOG system as reflected in a review of past effluent releases and environmental monitoring records. Effluent release and environmental monitoring programs were found to be of high quality and effectively implemented.

We are concerned regarding the continuation of problems with the Emergency Operating Procedures (EOPs) and the slow progress in correcting such problems. We note that your efforts have identified many of the issues, e.g., Event Report 96-030, and that the EOPs appear to have retained the general capability to control and mitigate events. Nonetheless, the number of errors, inaccuracies, and issues within the EOPs and the slow resolution of such problems have reduced unnecessarily the assurance of proper EOP action. Accordingly, we plan to further inspect the accuracy and acceptability of the EOPs. We request that you provide a written response to this letter addressing your assessment of the EOP problems, your schedule for correcting the problems, and an appropriate time for a follow-up inspection of the EOPs.

The inspectors concluded, to date, you have implemented an acceptable Generic Letter 89-10 program to verify the design-basis capability of safety-related motor operated valves (MOV) at Vermont Yankee. The NRC staff will consider

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closure of our review of your GL 89-10 program upon receipt of your response to the enclosed Notice of Violation along with a status of your commitment activities discussed in this report.

During the interim exit meeting on April 5, 1996, and in your letter to the NRC dated April 18, 1996, (BVY 96-52) you committed to the following activities:

- (1) Vermont Yankee will complete evaluation of non-dynamically tested MOVs in accordance with Attachment 6 of "Engineering Guideline for Evaluation of Motor-Operated Valve Design-Basis Capability," by July 1, 1996.
- (2) Vermont Yankee will review the Safety Evaluation Report (SER) of the Electric Power Research Institute (EPRI) Performance Prediction Method (PPM), issued on March 15, 1996, for inclusion in your MOV program. This review will be completed within six months of issuance of the SER.

In addition, we understand that Vermont Yankee will evaluate a number of MOVs using the EPRI PPM. Of the nineteen risk significance Individual Plan Examination (IPE) valves, fifteen will be dynamically tested by the end of 1996. Of the four remaining valves, two have considerable margin and, therefore, will not be included in the licensee's PPM evaluation. Two IPE valves (V13-21 and V23-21) and the six valves identified in Generic Letter 89-10, Supplement No. 3 will be evaluated using the PPM. We noted that VY plans to complete the evaluation of these eight MOVs by the end of 1996. However, you will also ensure that the methodology used has an adequate broad sample size for the PPM evaluation.

The violations identified in the enclosed inspection report reflect examples of both a past and present lack of rigor in the engineering programs and processes at Vermont Yankee. We are aware of your recent re-organization and management changes, but remain concerned that overall performance, as reflected by these issues, has not markedly improved. Based upon these recently dispositioned issues, please address in your response to the Notice of Violation any broad-based initiatives the engineering staff has implemented or planned to bolster performance.

Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practices," a copy of this letter and the enclosed Notice will be placed in the NRC Public Document Room.

Sincerely,

Original Signed by:

Richard J. Conte, Chief
Reactor Projects Branch 5
Division of Reactor Projects

Docket No. 50-271

Enclosures:

1. Notice of Violation
2. NRC Inspection Report 50-271/96-05

cc w/encl:

R. Wanczyk, Plant Manager

J. Thayer, Vice President, Vermont Yankee Nuclear Power Corp.

J. Duffy, Licensing Engineer, Vermont Yankee Nuclear Power Corporation

J. Gilroy, Director, Vermont Public Interest Research Group, Inc.

D. Tefft, Administrator, Bureau of Radiological Health, State of New Hampshire

Chief, Safety Unit, Office of the Attorney General, Commonwealth of

Massachusetts

R. Gad, Esquire

G. Bisbee, Esquire

T. Rapone, Massachusetts Executive Office of Public Safety

State of New Hampshire, SLO Designee

R. Sedano, State of Vermont, SLO Designee

Commonwealth of Massachusetts, SLO Designee

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NOTICE OF VIOLATION

Vermont Yankee Nuclear Power Corporation
Vermont Yankee Nuclear Power Station

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

During an NRC inspection conducted from March 25, to May 11, 1996, four violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedures for NRC Enforcement Actions," (60 FR 34381, June 30, 1995), the following violations were identified:

- (A) 10 CFR 50, Appendix B, Criterion XIV, Inspection, Test, and Operating Status, states, in part, that measures shall be established for indicating the operating status of systems and components, such as tagging valves or switches, to prevent inadvertent operations.

Vermont Yankee Administrative Procedure (AP)-0140, Vermont Yankee Local Control Switching Rules, Revision 19, provides the procedural guidance to ensure the safety of personnel and equipment to maintain system integrity. AP-6001, Installation, Test and Special Test Procedures, Revision 19, provides controls and guidance in the development and implementation of Installation and Test (I&T) Procedures and references AP-0140. AP-6001, steps 2 and 3 specify that the operations staff will review the impact on the equipment that must be removed from service or degraded and the impact the I&T procedure may have on other plant equipment.

Contrary to the above, the development and review by the cognizant engineering and operation staffs of step 7.6 of I&T Procedure for EDCR 95-408, HPCI Turbine Push-Button, dated 11/30/95, failed to recognize that the removal of fuses 23A-F1 and 23A-F2 on December 7, 1995 would: 1) result in the automatic opening of torus to HPCI suction valves; and 2) cause the Technical Specifications (TS) 3.7.D.2 primary containment isolation system Limiting Condition for Operating entry conditions to be satisfied because of inoperable logic circuits for HPCI isolation.

This is a Severity Level IV violation (Supplement I)

- (B) 10 CFR 50, Appendix B, Criterion XI, Test Control, states, in part, that a test program shall be established to assure that all testing required to demonstrate that systems and components will perform satisfactorily in service.

10 CFR 50.55 a(g)(1) specifies that the Inservice Inspection requirements for boiling water reactors must satisfy the requirements of Section XI of the effective edition of the ASME Boiler and Pressure Vessel Code and Addenda.

The 1980 edition of ASME Code, Section XI, sub-section IWC 5000, specifies that a demonstration of an open flow path for open-ended piping shall be conducted.

Contrary to the above, during the second interval of the Vermont Yankee Inservice Inspection Program (May 1, 1983 to September 1, 1993) the containment spray header in the torus, a subsystem of the residual heat

removal system, was not tested to demonstrate a flow path through the open-ended spray header nozzles.

This is a Severity Level IV violation (Supplement I)

- (C) 10 CFR Part 50, Appendix B, Criterion VI, states, in part, that measures shall be established to control the issuance of documents, such as procedures and instructions, which prescribe all activities affecting quality.

Vermont Yankee AP-6805, Revision No. 19, states that the control document system ensures that critical documents in use throughout the plant are always current.

Contrary to above, prior to March 29, 1996, the Vermont Yankee Motor-Operated Valve Program Manual [a critical document] was not a controlled document maintained in accordance with AP-6805.

This is a Severity Level IV violation (Supplement I)

- (D) 10 CFR 50, Appendix B, Criterion XVI, Corrective Action, states, in part, that measures shall be established to assure conditions adverse to quality such as non-conformances are promptly identified and corrected.

Vermont Yankee AP-0009, Event Reports, Revision 1, provides guidance for the preparing and processing of Event (including non-conformance related events involving safety-class structures determined not to be in conformance with required codes, standards, or regulatory requirements) Reports requiring immediate department head and/or operations shift supervisor review to address issues potentially reportable or impacting systems or component operability.

Contrary to the above, the identification of the station battery room block wall seismic qualification non-conformance with NRC approved acceptance criteria on March 6, 1996 was not formally entered into the VY corrective action process of AP-0009 until March 12, 1996 (six days later) for the shift supervisor to initiate a station battery operability assessment. In addition, as documented in LER 96-08, dated April 4, 1996, action to correct this non-conforming condition was not planned to be completed for approximately one year.

This is a Severity Level IV violation (Supplement I)

Pursuant to the provisions of 10 CFR 2.201, Vermont yankee is hereby required to submit a written statement of explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region I, and a copy to the NRC Resident Inspector at the facility that is the subject of the Notice, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps

that have been taken and the results achieved, (3) corrective steps that will be taken to avoid further violation, and (4) the date when full compliance will be achieved. If an adequate reply is not received within the time specified in this Notice, an order may be issued to show cause why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending this response time.

Dated at King of Prussia, Pennsylvania
this 19th day of June 1996.