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YANKEE ATOMIC ELECTRIC COMPANY



20 Turnpike Road Westborough, Massachusetts 01581

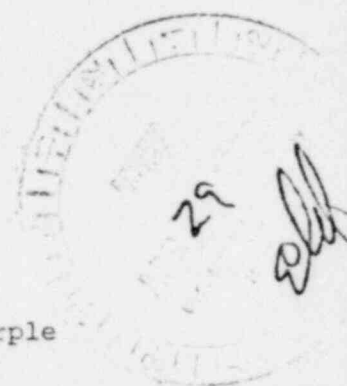
April 27, 1976

United States Nuclear Regulatory Commission
Washington, D. C. 20555

Attention: Office of Nuclear Reactor Regulation
Victor Stello, Jr., Director
Division of Operating Reactors



- Reference:
- (a) License No. DPR-3 (Docket No. 50-29)
 - (b) License No. DPR-28 (Docket No. 50-271)
 - (c) License No. DPR-36 (Docket No. 50-309)
 - (d) USNRC Letter dated April 9, 1976, V. Stello to D.E. Vandenburg in re YOQAP-1.
 - (e) YAEC Letter dated April 16, 1976, L.H. Heider to V. Stello.
 - (f) USAEC Letter dated March 8, 1973, E. M. Howard to D. E. Vandenburg.
 - (g) USAEC Letter dated March 16, 1973, E. Morris Howard to L. E. Minnick.
 - (h) USAEC Letter dated March 20, 1973, E. Morris Howard to W. P. Johnson.
 - (i) USNRC Inspection Report No. 75-18; License No. DPR-36; Docket No. 50-309).
 - (j) USNRC Inspection Report No. 76-06; License No. DPR-3; Docket No. 50-29.
 - (k) USAEC Letter dated June 19, 1974, Robert A. Purple to G. Carl Andognini.
 - (l) YAEC Letter dated July 23, 1974, Louis H. Heider to Robert A. Purple.



Copies of References (d) through (l) attached.

Dear Sir:

In response to your letter dated April 9, 1976 concerning the Yankee Atomic Electric Company Quality Assurance Program (Reference d) and as amplification of the Company's preliminary assessment of that correspondence. (Reference e) the following is submitted:

A formalized Quality Assurance Program was developed in 1973 concurrent with the licensing process for the Vermont Yankee facility. This program evolved from a joint effort that commenced in 1971 between

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the then AEC, DORO, (currently Inspection and Enforcement) and Yankee; the program was based on the criteria of 10CFR, Part 50, Appendix B as interpreted by AEC, I&E. The Vermont Yankee Quality Assurance Program was approved by the AEC on February 21, 1973 with written confirmation thereof on March 8, 1973 (Reference f). On the basis that the Vermont Yankee Operational Quality Assurance Program was also applicable to Yankee Rowe and Maine Yankee, the AEC simultaneously (on February 21, 1973) approved the Program for application at all three facilities. Written confirmation from the AEC for the Yankee Rowe and Maine Yankee Plants was issued in AEC letters dated March 16, 1973 (Reference g) and March 20, 1973 (Reference h), respectively.

At the time of the aforementioned events the AEC, DOL (currently Division of Operating Reactors) was not involved in these activities; however, a reasonable program was developed that all concerned could understand. Perhaps this was due, at least in part, to the fact that, much of the work of I&E personnel is directly involved in field activities, and they are thus more cognizant of those areas where the major benefits of the program can be realized.

At this point the Company emphasizes that a formal Quality Assurance Program has been in effect at all three of our operating Plants, since 1973. In addition, the Program has been extensively audited by the NRC - I&E at the Maine Yankee Plant in October, 1975 (Reference i); and at the Yankee Rowe Plant in February, 1976 (Reference j). The results of these audits attest to the strength and effectiveness of our Program.

On June 19, 1974, a letter was received from AEC - DOL (Reference k) that requested additional information necessary to complete a DOL evaluation of our already AEC approved Quality Assurance Program for our Yankee Rowe Plant.

While Yankee found Reference k somewhat confusing, we replied in turn on July 23, 1974 (Reference l). This letter contained references to documents which verified that we did indeed have an AEC (NRC) approved Program. However, your staff would not accept our position; therefore, we agreed to a meeting on September 24, 1974. At that meeting the AEC gave the Company two options; to submit a "Topical Report" applicable to all three operating Plants or as an alternative to provide the information demanded in the June 19, 1974 letter (Reference k), specific to Yankee Rowe. In addition, it was interated at the meeting that if the Company decided to provide the added information for Yankee Rowe, we would be directed at a later date to provide additional information relative to the Quality Assurance Program for the Maine Yankee and Vermont Yankee Plants. Your staff also stated the additional information requested would be unique for each plant. In other words, a Topical Report was required or we should be prepared to provide three individual programs.

Yankee yielded to this "backfit" and agreed to write a Topical Report, with submittal due on or before May 1, 1975.

Our April 1975 submittal of YOQAP-1 addressed the Rainbow Books and their endorsed ANSI Standards, but not to your satisfaction. It did not meet the requirements of your Standard Review Plan which we did not know existed until August 1975. (Attachment 10) In addition, since our submittal of YOQAP-1 in April of 1975 the NRC has revised the Standard Review Plan five times and changed its position relative to the "Rainbow Books" and ANSI Standards three times.

During an August, 1975 meeting with your staff, your Mr. R. Vollmer indicated to us that if we addressed ANSI-18.7, upon its final issue, we would not be required to address the Rainbow Books and their contained Regulatory Guides. (Attachment 11) Our March, 1976 meeting with your staff was to firm up exactly which Regulatory Guides and/or ANSI Standards were then applicable. At that meeting your Mr. J. Gilray informed us that ANSI-18.7 was at the printers and was acceptable to the Nuclear Regulatory Commission. Mr. Gilray reiterated that if we addressed ANSI-18.7 in our Topical Report, we would not be required to address any of the Regulatory Guides. Mr. Gilray also stated that we would be required only to address current issue Standards referenced in ANSI-18.7; and, if these referenced Standards were revised, we would not be required to address the revisions unless they had a major effect on our Program. Our Staff considered the NRC proposal and accepted it. In April 1976 our Mr. David B. Pike, Manager of Operational Quality Control & Audit, contacted your Mr. J. Conway requesting written verification that ANSI-18.7 was the governing document for an acceptable Quality Assurance Program for operating nuclear power plants. Your Mr. Conway stated that ANSI-18.7 was not the governing document and disavowed the conversation between Mr. Gilray, himself and our Messrs. D. Pike and R. Martin in April, 1976 at your offices. Mr. Conway stated that in addition to addressing ANSI-18.7 we would be required to address approximately 12 Regulatory Guides including a revision to Regulatory Guide 1.33 which would not be issued until sometime between June and October, 1976. Again, this is contrary to what Mr. Gilray had stated at the March, 1976 meeting.

In essence, Yankee views the current situation as one in which NRC desires that the Company commit to all ANSI standards and in particular to the NRC published and non-published regulatory guides that are pertinent to the subject. In many instances, the regulatory guides have been hastily promulgated, are more restrictive (not necessarily better) than the ANSI standards and are subject to varying interpretation; however, once committed, an operating plant will be audited to these documents on a line by line, word by word basis by NRC, I&E. Yankee would be performing in a most unprofessional manner to accept this situation in behalf of our participating plants. The Company will not agree to commit to ever-changing criteria until such criteria is stabilized and then closely analyzed and the proper exceptions are taken.

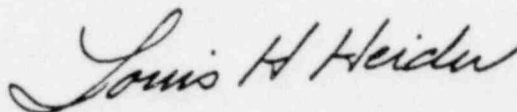
Your Staff's positions have been a moving target since 1971. Your request that we submit our revised YOQAP-1 no later than August 1, 1976 is unacceptable to us. The establishment of a firm list of Standards, Guides, etc. to be imposed upon us relative to our existing Quality

Assurance Program, has yet to be achieved. Until such time as the NRC can internally agree upon such a list of documents and issue it to us in writing, we find it impossible to agree to a submittal date for a revision to our existing Quality Assurance Program. When this is done Yankee will perform the required analysis of the pertinent material and, hopefully, both parties can then proceed in an organized manner to develop the most effective quality assurance program possible.

We at Yankee realize that when changes in organization occur, opportunity arises for misunderstanding and misinterpretation of what has already transpired. We at Yankee take careful measure to assure continuity of management policy. It is for this reason that we include as attachments hereto, documentation of meetings and phone conversations between Yankee and NRC personnel relative to our Quality Assurance Program for operational plants (Attachments 1-20). We invite your review of these documents in the hope that perhaps a better understanding can be reached concerning the Company's frustration with the NRC performance in this area.

Very truly yours,

YANKEE ATOMIC ELECTRIC COMPANY



Louis H. Heider
Assistant Vice President - Operations

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Attachments (20)

Distribution: See attached list.

