

OCT 29 1980

Distribution:

Docket	OELD
NRC PDR	OI&E (3)
Local PDR	NSIC
ORB Reading	TERA
NRR Reading	ACRS (16)
DEisenhut	
RPurple	
TNovak	
RTedesco	
GLainas	
JRoe	
JHeltemes, AEOD	
Tippolito	
SNorris	
VRooney	

DIVISION 6
 OPERATING REACTORS
 BRANCH NO. 2
 DIVISION OF LICENSING
 OCT 30 1980 6 11 P 58

Docket No. 50-271

Mr. Robert L. Smith
 Licensing Engineer
 Vermont Yankee Nuclear Power
 Corporation
 25 Research Drive
 Westboro, Massachusetts 01581

Dear Mr. Smith:

This letter is in response to your request for an exemption from Appendix J of May 8, 1980. You had requested an exemption from the testing requirements specified in Paragraph III.A.6(b) of Appendix J to 10 CFR 50 which states that if two consecutive Type A tests (integrated leakrate tests of the containment vessel) fail to meet the acceptance criteria, then a Type A test shall be performed at each refueling outage or at intervals of approximately 18 months, whichever occurs first, until two consecutive Type A tests meet the acceptance criteria.

We understand that following the failure of the 1978 Type A test at Vermont Yankee you developed a Corrective Action Plan which focused attention on the cause of previous test failure. The specific exemption requested would exempt you from performing the 1980 Type A test citing the successful completion of the 1979 test and the Corrective Action Plan as a basis.

Based on our evaluation of your request, we have concluded that insufficient justification has been provided for granting the requested exemption and your request is denied. Our conclusion takes into account the considerable reliance we place on Type A tests to provide assurance of containment vessel leak tightness - particularly during the interim period until we have completed our review of your Type B and C test program and resolved all pertinent issues.

This information was previously discussed with your representatives by telephone on September 16, 1980 by Vernon Rooney, Project Manager for Vermont Yankee.

Sincerely,

Original Signed By

T. A. Ippolito

Thomas A. Ippolito, Chief
 Operating Reactors Branch No. 2
 Division of Licensing

ORB #2
 VRooney:kf
 10/27/80

AD:SA
 GCLainas
 10/27/80

ORB #22
 TAIppolito
 10/28/80

8011190701

P

Mr. Robert L. Smith

- 2 -

October 29, 1980

cc:

Mr. W. F. Conway
Vice President and Manager
of Operations
Vermont Yankee Nuclear Power
Corporation
P. O. Box 157
Vernon, Vermont 05602

Mr. Louis H. Heider, V.P.
Vermont Yankee Nuclear Power
Corporation
25 Research Drive
Westboro, Massachusetts 01581

John A. Ritscher, Esquire
Ropes & Gray
226 Franklin Street
Boston, Massachusetts 02110

Laurie Burt
Assistant Attorney General
Environmental Protection Division
Attorney General's Office
One Ashburton Place, 19th Floor
Boston, Massachusetts 02108

Ronald J. Wilson
810 18th Street, N. W.
Suite 802
Washington, D. C. 20006

Honorable M. Jerome Diamond
Attorney General
State of Vermont
109 State Street
Pavilion Office Building
Montpelier, Vermont 05602

Mr. J. E. Griffin, President
Vermont Yankee Nuclear Power
Corporation
77 Grove Street
Rutland, Vermont 05701

Vermont Yankee Decommissioning
Alliance
127 Main Street
Brattleboro, Vermont 05301

John R. Stanton, Director
Radiation Control Agency
Hazen Drive
Concord, New Hampshire 03301

John W. Stevens
Conservation Society of
Southern Vermont
P. O. Box 256
Townshend, Vermont 05353

Dr. Mars Longley, Director
Occupational & Radiological Health
10 Baldwin Street
Montpelier, Vermont 05602

New England Coalition on Nuclear
Pollution
Hill and Dale Farm
West Hill - Faraway Road
Putney, Vermont 05346

Public Service Board
State of Vermont
120 State Street
Montpelier, Vermont 05602

W. P. Murphy, Plant Superintendent
Vermont Yankee Nuclear Power
Corporation
P. O. Box 157
Vernon, Vermont 05354

David White
Co-Director
Vermont Public Interest
Research Group, Inc.
26 State Street
Montpelier, Vermont 05602

Vermont Yankee Decommissioning
Alliance
5 State Street
Box 1117
Montpelier, Vermont 05602

Brooks Memorial Library
224 Main Street
Brattleboro, Vermont 05301

Mr. Robert L. Smith

- 3 -

October 29, 1980

cc:
Resident Inspector
c/o U. S. NRC
P. O. Box 176
Vernon, Vermont 05453