

August 17, 1982

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Docket No. 50-29

Mr. James A. Kay
Senior Engineer-Licensing
Yankee Atomic Electric Company
1671 Worcester Rd
Framingham, Massachusetts 01701

Dear Mr. Kay:

SUBJECT: UNRESOLVED SAFETY ISSUES STATUS
FOR THE YANKEE NUCLEAR POWER STATION (YANKEE)

By letter dated July 12, 1982 we requested information from you regarding the status of unresolved safety issues (USIs) at Yankee. We have reviewed your response, dated July 22, 1982, and have determined that a misunderstanding exists regarding that request. The purpose of this letter is to clarify our position and resolve this misunderstanding.

The NRC staff evaluates the safety requirements used in its reviews against new information as it becomes available. Each time a new concern or safety issue is identified, the need for immediate action to ensure safe operation is assessed. This assessment includes consideration of the generic implications of the issue. In some cases, immediate action is taken to ensure safety.

In other cases, interim measures, such as modifications to operating procedures, may be sufficient to allow further study of the issue before licensing decisions are made. In most cases, the initial assessment indicates that immediate licensing actions or changes in licensing criteria are not necessary. In any event, further study may be deemed appropriate to make judgments as to whether existing NRC staff requirements should be modified to address the issue for new plants or if backfitting is appropriate for the long-term operation of plants already under construction or in operation.

These issues are sometimes called "generic safety issues" because they are related to a particular class or type of nuclear facility rather than to a specific plant. However, as discussed above, such issues are considered on a generic basis only after the staff has made an initial determination that the safety significance of the issue does not prohibit continued operation or require licensing actions while the longer-term generic review is underway.

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"Unresolved safety issues" are a subset of these generic safety issues. They are defined to be "matters affecting a number of nuclear power plants that pose important questions concerning the adequacy of existing safety requirements for which final resolution has not yet been developed and that involves conditions not likely to be acceptable over the lifetime of the plants they affect." Like the rest of the generic safety issues, their safety significance does not prohibit continued operation or require immediate licensing action. Their resolution has been deemed necessary, however, to compensate for a possible major reduction in the degree of protection of the public health and safety or to provide a potentially significant decrease in the risk to the public health and safety.

Resolution of many of these issues has not yet occurred. Nonetheless, we expect that you would have reviewed the description of each issue as it appears in NUREG-0606, "Unresolved Safety Issues Summary," in order to determine which particular issues are applicable to Yankee. We assume that you have reviewed the staff determinations that each issue does not adversely affect safe operation of the plant while the longer term generic reviews are being completed.

The intent of our July 12, 1982 letter was to obtain your assurance that the overall generic conclusion of the staff for each of the USI's is applicable to the Yankee facility. As the owner of the facility, you are the one responsible for and best able to determine that each staff generic conclusion is appropriate and that there are no plant specific situations that would invalidate the staff's findings. Therefore we request that you make the determination that the staff's generic basis is still valid.

Sincerely,

Original Signed By

Dennis M. Crutchfield, Chief
 Operating Reactors Branch #5
 Division of Licensing

CC:
 See next page

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Mr. James A. Kay

August 17, 1982

CC

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