

OCT 15 1982

Docket No. 50-271
License No. DPR-28
EA 82-112

Vermont Yankee Nuclear Power Corporation
ATTN: Mr. W. F. Conway, President
and Chief Executive Officer
RD 5 Box 169, Ferry Road
Brattleboro, Vermont 05301

Gentlemen:

Our letter of May 12, 1982 regarding the April 24, 1982 loss of feedwater event at the Vermont Yankee facility indicated that NRC was considering appropriate enforcement action. We have completed our assessment of this event. This assessment included reviews by NRC staff of the Vermont Yankee operating license and relevant chapters of the facility final safety analysis report. The assessment also included an evaluation by NRC staff of information obtained during our followup of the event, specifically: (1) results of a special NRC inspection conducted at the facility on April 26-30; (2) results of an NRC investigation conducted at the facility on June 6-9; (3) information provided to the NRC staff during a meeting held on July 9, at Montpelier, Vermont with you and your staff and State of Vermont officials cognizant of nuclear power plant emergency preparedness and planning, and (4) information provided to Region I management during an Enforcement Conference held at this office on August 24 with you and your staff. Reports of our special inspection and investigation were transmitted to you on May 12, 1982 and July 21, 1982 (Inspection Report No. 50-271/82-07 and Investigation Report No. 50-271/82-12). The event sequence, cause(s) of the event, possible consequences of the event, actions of the plant staff during and subsequent to the event and the issue of willfulness were principal aspects of this assessment.

At the Enforcement Conference held on August 24, 1982, we discussed our specific concerns regarding the actions taken by the plant staff during this event. We are concerned that it took about an hour for the licensed staff to recognize that the High Pressure Coolant Injection (HPCI) system had automatically operated to recover coolant inventory during the transient. We have also determined that the Nuclear Safety Engineer (NSE) and operating crew functions were not properly integrated and that the procedures for classification of Emergency Action Levels were unclear. As a result of these deficiencies station personnel were not aware of Emergency Core Cooling System actuation, an inaccurate report was provided to the NRC at about 1:20 a.m. and plant personnel failed to recognize and, therefore, promptly classify the event in accordance with the emergency plan. Specifically, the HPCI actuation and injection event should have been recognized within minutes and then classified and reported to offsite officials in accordance with your emergency plan.

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

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We have concluded that station personnel's evaluation and reporting failures did not involve willfulness or careless disregard for requirements, nor was the public health and safety adversely affected. However, upon review of the circumstances associated with this event and after consultation with the Director, Office of Inspection and Enforcement, I have been authorized to issue the enclosed Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$40,000. This action is being taken to emphasize the importance of ensuring that operators properly evaluate events, including changes in the status of safety-related equipment, that the Nuclear Safety Engineer function is properly implemented, and that events are promptly recognized, classified and reported to offsite officials. The violation in the Notice has been categorized as Severity Level III in accordance with the NRC Enforcement Policy (10 CFR 2, Appendix C), published in the Federal Register, 47 FR 9987 (March 9, 1982).

At the Enforcement Conference on August 24, 1982, we discussed the measures needed to ensure that this violation is not repeated. Specifically, you need to improve training of plant personnel in transient analysis, and emergency response and management. The additional training should be incorporated into existing programs completed by personnel prior to assignment to the position of Shift Supervisor/plant emergency director, senior reactor operator or NSE. In addition, in accordance with the letter dated April 28, 1982, regarding the NRC Emergency Preparedness Appraisal team findings, you should have already completed revisions to your procedures relating to classification of Emergency Action Levels.

You are required to respond to the Notice and you should follow the instructions therein when preparing your response. Your reply should address the matters of emergency response and management training and describe the plans and steps that will be taken to achieve full integration of the NSE function with the operating crew.

The responses directed by this letter and accompanying Notice are not subject to the clearance procedures of the Office of Management and Budget otherwise required by the Paperwork Reduction Act of 1980, PL 96-511.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and the enclosure will be placed in the NRC's Public Document Room.

Sincerely,



Ronald C. Haynes
Regional Administrator

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Enclosure: Notice of Violation and Proposed Imposition
of Civil Penalty

cc w/encl:

- J. P. Pelletier, Plant Manager
- J. B. Sinclair, Licensing Engineer
- W. P. Murphy, Vice President and
Manager of Operations
- E. W. Jackson, Special Assistant
to the President
- L. H. Heider, Vice President

bcc w/encl:

- Public Document Room (PDR)
- Nuclear Safety Information Center (NSIC)
- Local Public Document Room (LPDR)
- ACRS
- SECY
- Congressional Affairs
- RCDeYoung, IE
- JHSniezek, IE
- JAxelrad, IE
- VStello, DED/ROGR
- FIgram, PA
- JLieberman, ELD
- RHaynes, RI
- Enforcement Directors
RI, RII, RIII, RIV, RV
- JCumings, OIA
- JFitzgerald, OI
- HDenton, NRR
- IE:ES File
- EA File
- EDO Rdg File
- DCS
- NRC Resident Inspector

Louise McCarren, Chairperson
Public Service Board
120 State Street
Montpelier, VT 05602

The Honorable Madeleine M. Kunin,
Lieutenant Governor
State of Vermont
State House
Montpelier, VT 05602

Richard Saudek, Commissioner
Department of Public Service
120 State Street
Montpelier, VT 05602

Fred Siegel
State of New Hampshire
Council on Energy
2½ Beacon Street
Concord, NH 03301

Office of the Attorney General

ATTN: John J. Easton
Pavilion Office Bldg.
Montpelier, VT 05602

RI:DPRP
Raymond
10/14/82

RI:DPRP
GANT
10/14/82

RI:DPRP
Starostecki
10/14/82

RI:ES
Holody
10/14/82

RI:DPRA
Allan
10/14/82

RI:DPRA
Haynes
10/15/82

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JCraig
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ELD
J. Lieberman

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JAxelrad

IE:DD
JSniezek

IE:D
RDeYoung

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*HQ concurrences
obtained by pache
10/12/82 PJH*

Vermont Yankee Nuclear
Power Corporation

- 3 -

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and the enclosure will be placed in the NRC's Public Document Room.

Sincerely,

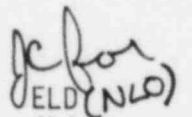


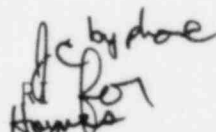
Ronald C. Haynes
Regional Administrator

Enclosure:
Notice of Violation and Proposed
Imposition of Civil Penalty

cc w/encl:
J. P. Pelletier, Plant Mgr
J. B. Sinclair, Licensing Engr.
W. P. Murphy, Vice President and
Manager of Operations
E. W. Jackson, Special Advisor
to the President
L. H. Heider, Vice President

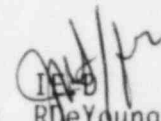
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JLieberman
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R. C. Haynes
10/8/82

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10/12/82


R. C. Haynes

NOTICE OF VIOLATION
AND
PROPOSED IMPOSITION OF CIVIL PENALTIES

Vermont Yankee Nuclear Power Corporation
Vermont Yankee Nuclear Power Station

Docket No. 50-271
License No. DPR-28
EA 82-112

On April 24, 1982, at the Vermont Yankee Nuclear Power Station, Vernon, Vermont, the reactor feedwater control system malfunctioned causing a trip of the reactor feedwater pumps during power operation. Without this feedwater while the plant was still in power operation, the water inventory in the reactor pressure vessel rapidly decreased. Plant protective instrumentation detected the decreasing water inventory and automatically actuated reactor protection and engineered safeguards systems and components. These systems and components functioned as designed and mitigated the event. The automatic equipment operations included a reactor scram to shut down the plant, closure of reactor system isolation valves which stopped the removal of water from the reactor pressure vessel, and injection of water into the reactor pressure vessel by the high pressure injection system (an Emergency Core Cooling System) to replenish the water inventory.

The Shift Supervisor failed to recognize that the HPCI system had automatically operated to recover coolant inventory during the transient. Although the Nuclear Safety Engineer on duty at the time of the event recognized that HPCI had actuated, he failed to inform the Shift Supervisor of this fact. Consequently, in his 1:20 a.m. report to the NRC, the Shift Supervisor stated that the ECCS had not actuated (although it had actuated for just over one minute at approximately 1:00 a.m.). The Shift Supervisor did not recognize that HPCI had actuated until about 2:00 a.m. and the licensee did not notify the NRC or classify the event in accordance with the emergency plan until 3:51 a.m.. The NRC has determined that this series of events involves a significant violation of NRC requirements. A deficiency was demonstrated in the training of plant personnel in that the Shift Supervisor and licensed operators on duty during the event were not adequately aware of the status of safety-related equipment and failed to properly integrate the Nuclear Safety Engineer into the analysis/evaluation of transients. In addition, the licensee's procedures for classifying the event and notifying offsite officials in accordance with the emergency plan were inadequate. As a result, the event was not properly evaluated and reported at about 1:20 a.m.

To emphasize (1) the importance of proper training to ensure prompt recognition of changes in the status of safety-related equipment and integration of the functions of the NSE into operating crew activities and (2) the importance of promptly recognizing, classifying and reporting events in accordance with the emergency plan, the NRC proposes to impose a civil penalty of \$40,000.

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In accordance with the NRC Enforcement Policy (10 CFR Part 2, Appendix C), 47 FR 9987 (March 9, 1982), and pursuant to Section 234 of the Atomic Energy Act of 1954, as amended ("Act"), 42 U.S.C. 2282, PL 96-295, and 10 CFR 2.205, the particular violation and the associated civil penalty is set forth below:

- A. Technical Specification 6.0, "Administrative Controls" states that "Administrative controls are the written rules, orders, instructions, procedures, policies, practices, and the designation of authorities and responsibilities by the management to obtain assurance of safety and quality of operation and maintenance of a nuclear power reactor. These controls shall be adhered to."

Station Procedure A.P.0150 Rev No. 17, "Responsibilities and Authorities of Operations Department Personnel," states, in part, that the Shift Supervisor is responsible

"To supervise and approve the safe and proper operation of the Vermont Yankee Nuclear Power Station on his appointed shift. This shall be accomplished by maintaining the broadest perspective of operational conditions affecting the safety of the plant through all conditions of startup, power generation, shutdown, refueling, and emergency operations.

"Total involvement in any single operation in times of an emergency when multiple operations are required to bring the plant into a safe condition is considered to be a violation of this responsibility. Priority items of concern should be analyzed at first-hand while items of less priority should be delegated to other qualified personnel within the plant."

Station Procedure A.P. 0469, "Responsibilities and Authorities of The Nuclear Safety Engineer," states, in part, that the Shift Technical Advisor "Provide advice and recommendations to the Shift Supervisor regarding plant status and activities as they relate to plant and public safety."

- B. 10 CFR 50.54(q) requires a licensee to follow and maintain in effect emergency plans which meet the standards in 10 CFR 50.47(b) and the requirements in 10 CFR 50, Appendix E. The Vermont Yankee Emergency Plan was written to implement the requirements of 10 CFR 50.54(q).

Section 3 of the Emergency Plan requires that the Shift Supervisor recognize emergency conditions and classify events in accordance with the Emergency Classification System. Section 5 of the Emergency Plan specifies the emergency classifications of events. Section 9 of the Emergency Plan specifies the requirements for classification of events.

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Contrary to the above, on April 24, 1982 operations personnel failed to properly evaluate a loss of feedwater event which resulted in a low low reactor water level condition which initiated ECCS on April 24, 1982 at about 1:00 a.m. The Shift Supervisor was not adequately aware of the change in status of safety-related equipment or the cause for this change. Although the Nuclear Safety Engineer was aware that High Pressure Coolant Injection had initiated, he did not assist the Shift Supervisor in evaluating the transient. After the loss of feedwater event that resulted in Emergency Core Cooling System automatic initiation and injection at about 1:00 a.m., the licensee failed to recognize and, therefore, promptly classify this event in accordance with the requirements of the Vermont Yankee Emergency Plan when the conditions for classification existed or were known.

This is a Severity Level III violation (Supplement I)
Civil Penalty - \$40,000

Pursuant to the provisions of 10 CFR 2.201, Vermont Yankee Nuclear Power Corporation is hereby required to submit to the Director, Office of Inspection and Enforcement, USNRC, Washington, DC 20555, with a copy to this Office, within 30 days of the date of this Notice, a written statement or explanation in reply, including: (1) admission or denial of the alleged violation; (2) the reasons for the violation, if admitted; (3) the corrective steps which have been taken and the results achieved; (4) the corrective steps which will be taken to avoid further violations; and (5) the date when full compliance will be achieved. Where good cause is shown, consideration will be given to extending your response time. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, this response shall be submitted under oath or affirmation.

Within the same time as provided for the response required above under 10 CFR 2.201, Vermont Yankee Nuclear Power Corporation may pay the civil penalty in the amount of \$40,000 or may protest imposition of the civil penalty in whole or in part by a written answer. Should Vermont Yankee Nuclear Power Corporation fail to answer within the time specified, the Director, Office of Inspection and Enforcement, will issue an order imposing the civil penalty in the amount proposed above. Should Vermont Yankee Nuclear Power Corporation elect to file an answer in accordance with 10 CFR 2.205 protesting the civil penalty, such answer may: (1) deny the violations listed in this Notice in whole or in part; (2) demonstrate extenuating circumstances; (3) show error in this Notice; or (4) show other reasons why the penalty should not be imposed. In addition to protesting the civil penalty in whole or in part, such answer may request remission or mitigation of the penalty. In requesting mitigation of the proposed penalty, the five factors contained in Section IV.B of 10 CFR Part 2, Appendix C should be addressed. Any written answer in accordance with 10 CFR 2.205 should be set forth separately from the statement or explanation in reply pursuant to 10 CFR 2.201, but may incorporate by specific reference (e.g., in giving page and paragraph numbers) to avoid repetition. Vermont Yankee Nuclear Power Corporation's attention is directed to the other provisions of 10 CFR 2.205, regarding the procedure for imposing civil penalties.

Upon failure to pay any civil penalty due, which has been subsequently determined in accordance with the applicable provisions of 10 CFR 2.205, this matter may be referred to the Attorney General, and the penalty, unless compromised, remitted, or mitigated, may be collected by civil action pursuant to Section 234c of the Act, 42 U.S.C. 2282.

FOR THE NUCLEAR REGULATORY COMMISSION

(S)

Ronald C. Haynes
Regional Administrator

Dated at King of Prussia, Pennsylvania
this 15 day of October 1982.