



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
631 PARK AVENUE
KING OF PRUSSIA, PENNSYLVANIA 19406

*Vermont
Yankee*

October 13, 1982

MEMORANDUM FOR: Jane Axelrad, Acting Director of Enforcement, IE
FROM: Daniel J. Holody, Enforcement Specialist, RI
SUBJECT: CHRONOLOGY OF REGION I ACTIONS REGARDING THE VERMONT YANKEE
PROPOSED CIVIL PENALTY

Per your request today, we are providing, in Attachment 1, the chronology of Region I actions regarding the April 24, 1982 loss of feedwater event at Vermont Yankee, and our subsequent inspection, investigation, documentations, meetings with the State and the licensee officials, evaluations of appropriate enforcement action, and processing of the civil penalty package. Regarding our evaluations, considerable thought was given by the Region I staff on what would constitute appropriate enforcement action, recognizing that the action we were considering and eventually proposed to be precedent setting, in terms of issuance of a civil penalty to emphasize (1) the need for the shift supervisor to fully understand his responsibilities regarding emergency response and management, including recognition, classification and notification of events, and (2) the need for the role of the shift Technical Advisor to be properly integrated with the operating staff to assist the shift supervisor in carrying out responsibilities.

As can be seen from the chronology in Attachment 1, there was an elapsed time of 4-1/2 months from the time the event occurred until the time Region I transmitted their proposed package to IE:HQ. If the package is issued to the licensee as scheduled on October 15, 1982, the total elapsed time since the occurrence of the event would be just over 5-1/2 months. Although we recognize the need for improvements in timely issuance, we do not consider this elapsed time of 5-1/2 months substantially different from the elapsed time on some recent civil penalty cases, as illustrated in Attachment 2.

If you have any additional questions, please call.

Daniel J. Holody

Daniel J. Holody
Enforcement Specialist

Enclosures:

1. Chronology of RI Actions
Regarding the Vermont
Yankee Proposed Civil Penalty
2. Processing Time - Some
Recent Civil Penalties

cc: R. Haynes, RI
J. Allan, RI
R. Starostecki, RI

ATTACHMENT 1

CHRONOLOGY OF REGION I ACTIONS REGARDING THE VERMONT YANKEE PROPOSED CIVIL PENALTY

<u>DATES</u>	<u>ACTION</u>
April 24, 1982	- Event occurs
April 26-30, 1982	- Inspection conducted to review event
April 30 - May 12, 1982	- Inspection Report written
May 12, 1982	- Inspection Report issued
May 13 - June 5, 1982	- Decision made to conduct investigation to determine if willful or careless disregard involved in event. Scheduled start of investigation not until June 6 because of limited resources and higher priority investigative effort at Salem involving the strike and tampering.
June 6 - June 9, 1982	- Investigation conducted
June 10 - July 20, 1982	- Investigation Report written - schedule impacted by higher priority investigative effort including tampering event at Salem
July 9, 1982	- Meeting conducted with Vermont Yankee and State of Vermont to discuss Emergency Plan implementation
July 21, 1982	- Investigation Report issued
July 22, 1982 - August 23, 1982	- Deliberations and evaluations regarding proposed enforcement action - Enforcement Conference scheduled
August 24, 1982	- Enforcement Conference conducted
August 25 - September 7, 1982	- Regional proposed Civil Penalty package finalized
September 8, 1982	- Regional proposed Civil Penalty package transmitted to IE:HQ

PROCESSING TIME - SOME RECENT CIVIL PENALTIES

<u>EN NO.</u>	<u>UTILITY</u>	<u>SITE</u>	<u>DATE OF EVENT</u>	<u>DATE OF INSPECTION</u>	<u>DATE OF INVESTIGATION</u>	<u>DATE CIVIL PENALTY ISSUED</u>	<u>ELAPSED TIME</u>
82-32	Illinois Power	Clinton			1/5-3/3/82	10/5/82	9 months from beginning of investigation
82-24	Carolina Power & Light	Brunswick	12/26-31/81	1/6-7/82		7/16/82	6-1/2 months from event
82-23	Georgia Power & Light	Hatch		3/23-27/82		7/28/82	4 months from inspection
82-22	Commonwealth Edison	Zion	3/25/82	3/30-31/82 4/7-8, 28/82		7/8/82	3-1/2 months from event
82-20	Sacramento Municipal Utility District	Rancho Seco	2/11/82 3/1/82	2/20-4/28/82		6/22/82	4-1/2 months from first event
82-19	Southern Calif.	San Onofre		1/10-12/82 2/8-10/82		6/17/82	5-1/2 months from first day of inspection
82-17	Portland Gas & Electric Co.	Trojan	1/18/82	3/16-4/30/82		6/2/82	4-1/2 months from event.



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

JAN 26 1983

Vermont Yankee Nuclear Power Corporation
ATTN: Mr. Warren P. Murphy
Vice-President and Manager
of Operations
R.D. 5, Box 169
Ferry Road
Brattleboro, Vermont 05301

Gentlemen:

Subject: Inspection Report No. 50-271/82-07

This refers to your letter dated November 12, 1982, in response to the Notice of Violation and Proposed Imposition of Civil Penalties dated October 15, 1982.

Thank you for informing us of the corrective and preventive actions documented in your letter. As a result of our review of these actions, Mr. W. J. Raymond, Senior Resident Inspector, met with Mr. J. P. Pelletier of your staff on December 22, 1982, to clarify certain aspects of your response. Based on this meeting, we understand that:

- A. All of the present Nuclear Safety Engineers (NSEs) who have not completed the revised simulator training program will complete their training by September 1983;
- B. The control room management training program will be defined by March 1983, and all personnel (as specified in your letter) will complete training in control room management by October 1983;
- C. Modifications to feedwater pump trip annunciation, which could aid control room operators in their evaluation of and response to off-normal conditions, will be completed during the next refueling outage;
- D. The changes to the organization and work schedules for Nuclear Safety Engineers, which you consider as necessary, will be completed by March 1, 1983.
- E. Emergency procedures and agreements with offsite authorities have been revised such that the minimum response to any event listed in the emergency classification procedures will result in classification of the event at the Unusual Event level and implementation of the Emergency Plan accordingly.

Based on these clarifications, we have determined that your response, as clarified above, is acceptable. If, however, our understanding of the matters described above is not in accordance with your actual plans and actions, please

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PDR-LPDR

JAN 26 1983

contact the Region I office within five days of your receipt of this letter. Nevertheless, your actions will be examined during future inspections of your licensed program.

Your cooperation is appreciated.

Sincerely,


Ronald C. Haynes,
Regional Administrator

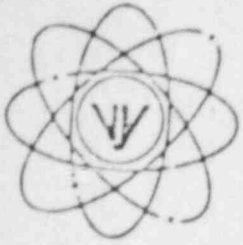
cc:

Mr. J. B. Sinclair, Licensing Engineer
Mr. W. F. Conway, President and Chief Executive Officer
Mr. J. P. Pelletier, Plant Manager
Mr. L. H. Heider, Vice-President
Public Document Room (PDR)
Local Public Document Room (LPDR)
Nuclear Safety Information Center (NSIC)
NRC Resident Inspector
State of New Hampshire
State of Vermont

bcc:

Region I Docket Room (with concurrences)
Senior Operations Officer (w/o encls)
DPRP Section Chief
R. C. DeYoung
J. Axelrad
J. Wiggins
D. Holody

VERMONT YANKEE
NUCLEAR POWER CORPORATION



RD 5, Box 169, Ferry Road, Brattleboro, VT 05301

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FVY 82-118

REPLY TO
ENGINEERING OFFICE
1671 WORCESTER ROAD
FRAMINGHAM, MASSACHUSETTS 0
TELEPHONE 617-877-8100

November 12, 1982

U.S. Nuclear Regulatory Commission
Office of Inspection & Enforcement
Washington, D.C. 20555

Attention: Mr. Richard C. DeYoung, Director

- References:
- a) License No. DPR-28 (Docket No. 50-271)
 - b) USNRC Letter to VYNPC, dated October 15, 1982 and attached Notice of Violation and Proposed Imposition of Civil Penalties, EA 82-112
 - c) USNRC Letter to VYNPC, dated July 22, 1982 and attached Emergency Preparedness Appraisal 50-271/82-05
 - d) VYNPC Letter to USNRC, dated September 8, 1982
 - e) USNRC Letter to VYNPC, dated July 21, 1982 and attached Investigation Report 82-12
 - f) USNRC Letter to VYNPC, dated May 12, 1982 and attached Inspection Report 82-07
 - g) USNRC Letter to VYNPC, dated September 1, 1982

Dear Sir:

Subject: Response to Notice of Violation and Proposed Imposition of Civil Penalties, EA 82-112

This letter is written in response to Reference (b) which indicates that one of our activities was not conducted in full compliance with Nuclear Regulatory Commission requirements. This alleged Level III violation was identified as a result of special investigations conducted by USNRC representatives following a loss of feedwater transient on April 24, 1982, as documented in References (e) and (f).

Attachment 1 of this letter details our response to the specifics of the Notice of Violation.

We acknowledge the facts as outlined in Mr. Ronald Haynes' letter of October 15, 1982 (Reference (b)), concerning the NRC inspection conducted at Vermont Yankee on April 26-30; the special NRC investigation conducted on June 6-9; the meeting held in Montpelier, Vermont, on July 9, attended by Vermont State officials, NRC I&E Region I management, and Vermont Yankee management; and the Enforcement Conference held in Region I headquarters on August 24.

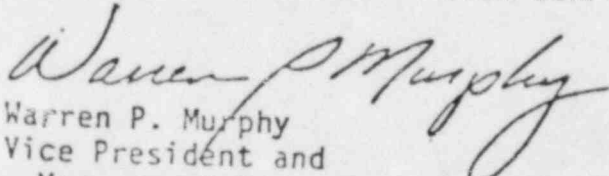
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At both of the meetings we responded openly and candidly to the questions and concerns of both NRC and State of Vermont officials. As we explained at the Enforcement Conference, we immediately conducted our own investigation of the event of April 24 and, as an additional measure to ensure complete objectivity, we employed the services of a reputable consultant team experienced in nuclear power operations and management to review the event of April 24 and related events.

As a result of these efforts, we came to the same conclusion as that reached by NRC Region I management, namely, that the event of April 24 did not involve willful or careless disregard for requirements on the part of plant personnel nor was the public health and safety adversely affected. Despite these findings, however, be assured that Vermont Yankee Nuclear Power Corporation fully recognizes the significance of the events resulting from the loss of feedwater transient of April 24, and that we have taken the necessary action to ensure that such events do not recur in the future.

Very truly yours,

VERMONT YANKEE NUCLEAR POWER CORPORATION


Warren P. Murphy
Vice President and
Manager of Operations

WPM/dm

cc: Mr. Ronald C. Haynes, Regional Administrator
U.S. Nuclear Regulatory Commission
Office of Inspection and Enforcement
Region I
631 Park Avenue
King of Prussia, PA 19406

Answer to Notice of Violation and Proposed
Imposition of Civil Penalties Dated October 15, 1982

A. Admission or Denial of the Alleged Violation

While we believe that the Shift Supervisor's immediate response to this event was appropriate in that he endeavored to analyze, at first hand, a priority item of concern (loss of feedwater and resultant decline in reactor water level), we agree that he did not subsequently re-establish a suitably broad perspective of operational conditions. Likewise, we acknowledge that the Nuclear Safety Engineer (NSE) failed to properly communicate to the operators his observations during, and subsequent to, the event.

It should be emphasized, however, that the plant was in a safe status at that point in time and the apparent deficiencies in overall cognizance did not compromise plant safety.

Reasons for the Violation

The Shift Supervisor's failure to maintain an adequate awareness of changes in system status is attributed in part to insufficient training in the managerial aspects of his supervisory function. Contributing factors of a circumstantial nature are detailed in References (e) and (f), and need not be reiterated here. At the time of the initial NRC notification the Shift Supervisor believed that he had correctly assessed the sequence of events based on his first-hand involvement.

The NSE's failure to properly advise the Shift Supervisor resulted from his reluctance to interfere with the operating crew during the early stages of the transient. Subsequent operator actions led him to believe that the operating crew had become aware of the ECCS initiation. A detailed description of the NSE's involvement is provided in Reference (e).

Corrective Steps Taken

Following this event, all Shift Supervisors were reinstructed in the applicable requirements of plant procedure AP 0150, Responsibilities and Authorities of Operations Department Personnel, and were required to review NRC Inspection Report No. 82-07 and Plant Information Report 82-05. Furthermore, the 1982 licensed operator requalification program included additional emphasis on proper recognition of Control Room indicators generated by the automatic actions experienced during this event.

To ensure that NSEs fully understand their role as part of the shift operating crew, we have instituted a program during 1982 which requires those attending simulator training to undergo specific instruction and practical exercise in the Shift Technical Advisor function. At the time of this event, the NSE in question had not yet received the enhanced simulator training; he ultimately completed this training.

On April 27, 1982, the Manager of Operations communicated to the Shift Supervisors and NSEs his concern regarding the proper implementation of their managerial and advisory responsibilities.

Corrective Steps to be Taken

To assist Shift Supervisors in developing appropriate managerial skills, a management training program is being prepared and will be administered to all current Shift Supervisors and candidates for the Shift Supervisor position. Until the new program is in place, these personnel will be integrated, as available, into the management training program presently established for NSEs. In any event, management training will be provided to every newly appointed Shift Supervisor, Senior Control Room Operator or NSE prior to his being assigned to a shift.

The 1983 licensed operator requalification program will feature increased attention to recognition of applicable Control Room indications and the use of multiple indications in obtaining an adequate awareness of overall plant status. We will also consider the use of demonstrative examinations to gain experience in the emergency event classification procedure.

As a result of our internal evaluation of this event, we are assessing the need for specific physical changes to the plant (e.g., feedpump trip setpoint, feedpump trip annunciation, etc.) which could aid control room operators in correctly evaluating and responding to off-normal conditions. This assessment will be completed by December 31, 1982, with design work commencing soon thereafter.

To facilitate the integration of NSEs with the shift operating crew, we are considering changes to the NSE program. Under consideration are steps to transfer NSE organizational responsibility to the Operations Department, place NSEs under the direct control and supervision of the Shift Supervisor, and adjust the NSE duty schedule to agree with the operating shift schedule. Any resulting modifications to the Technical Specifications will be proposed to the Commission by December 31, 1982.

We have evaluated the NRC's recommendation regarding the need to provide additional training for plant personnel in transient analysis and have concluded that our current program for instruction of operators and NSEs in transient recognition and response is adequate. Note that no commitment was made at the Enforcement Conference of August 24, 1982 to modify this program and nothing in our evaluation, or yours, points to such a need.

The above corrective actions will be completed in the timeframes discussed within the above responses.

B. Admission or Denial of the Alleged Violation

We agree that Control Room personnel failed to recognize and promptly classify this event in accordance with the requirements of the Vermont Yankee Emergency Plan.

Reasons for the Violation

This failure resulted from an inadequacy in the implementing procedure for emergency event classification. The procedure contained information which was not in agreement with the Emergency Plan.

Corrective Steps Taken

Following the event, all licensed operating personnel were instructed in the proper classification for a feedwater transient/ECCS injection event. Subsequently, the Emergency Plan was upgraded and the procedure was clarified to agree with the new plan. The revised procedure was issued in September 1982 and additional detailed training on both the plan and the procedure was provided to all senior licensed personnel and Nuclear Safety Engineers.

Corrective Steps to be Taken and Compliance Date

Overall Emergency Plan training, as well as many other areas of our emergency preparedness program, is being upgraded as detailed in Reference (d), which provided our response to your appraisal of March 16-24, 1982 (Reference (c)).

Enclosed is a check for \$40,000 as required by the Notice of Violation and Proposed Imposition of Civil Penalties.