

July 6, 1984

Docket No. 50-271

Mr. J. B. Sinclair
Licensing Engineer
Vermont Yankee Nuclear Power Corporation
1671 Worcester Road
Framingham, Massachusetts 01701

Dear Mr. Sinclair:

By letter dated May 21, 1984, the Vermont Yankee Nuclear Power Corporation requested an exemption, pursuant to 10 CFR 50.12, from the schedular requirements of 10 CFR 50.48(c). You indicated that your present analysis does not include the assumption of the random loss of offsite power, and that upon completing reanalysis taking random loss of offsite power into account, you intend to submit plans and schedules for assuring compliance with Appendix R, as necessary. Based upon discussions with your representatives during our meeting at NRC Region I Headquarters on May 24, 1984, we understand that you do not believe that you will be able to complete your reanalysis and propose plans and schedules for assuring compliance with Appendix R before October 1984.

We are constrained to point out that your schedule for compliance with Appendix R is contingent upon NRC approval of the revised proposal you intend to submit in October 1984. It is our understanding that this proposal may include new substantive modifications not previously reviewed by the staff. It has been our experience that the review of designs for safe shutdown systems is time-consuming even given maximum efforts by both the licensee and the staff. Assuming optimistically that your October 1984 proposal could be approved within a few months, you would have about a year to complete safe shutdown modifications at the Vermont Yankee Nuclear Power Station. If some of your modifications cannot be approved, more time would be required for further submittals or design work to achieve compliance with Appendix R.

In view of these facts, we are not now in a position to approve your schedule for compliance with Appendix R. If your October 1984 proposal is acceptable, a reasonable schedule for completion of modifications could be approved at that time, taking into account scheduled outages, etc. We recognize that the Vermont Yankee Nuclear Power Station will be in violation of the 10 CFR 50.48(c) schedule until you complete any required modifications based upon reanalysis. We expect that all possible interim measures will be taken by the Vermont Yankee Nuclear Power Corporation to compensate for the lack of compliance with Appendix R during this period. We cannot assess the acceptability of the compensatory measures that you propose until the areas of nonconformance have been identified. As soon

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Mr. J. B. Sinclair

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as you identify areas of nonconformance we request you to inform the staff and propose suitable compensatory measures. It should be understood that enforcement action may be taken if the October 1984 submittal is found to be seriously inadequate, or if there is otherwise an indication of lack of good faith toward meeting the requirements of 10 CFR 50.48 and Appendix R.

We urge that during development of the October 1984 submittal, you maintain close contacts with the NRC technical staff to ensure that the course you intend to propose is not in conflict with existing staff positions on the interpretation of Appendix R.

Sincerely,

Original Signed By
E. G. Case

for Harold R. Denton, Director
Office of Nuclear Reactor Regulation

cc: See next page

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*Telephone
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