



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

JUN 15 1987

Docket No. 50-271
License No. DPR-28
EA 84-7

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

Gentlemen:

SUBJECT: NOTICE OF VIOLATION (NRC INSPECTION REPORT NO. 50-271/83-26)

This refers to a special team inspection conducted on August 19 - September 2, 1983, at the Vermont Yankee Nuclear Power Station, Vernon, Vermont, of activities authorized by NRC License No. DPR-28. A copy of the inspection report was forwarded to you on November 2, 1983. The inspection was conducted to review your compliance with the requirements of 10 CFR Part 50, Appendix R, Section III.G, regarding fire protection features for equipment necessary to achieve and maintain safe shutdown. During the inspection, violations of these requirements were identified. The violations were discussed with you and members of your staff at a meeting in Region I on November 22, 1983 and at an Enforcement Conference on January 10, 1984. The enforcement action on this matter was then held in abeyance while the Commission resolved a number of issues pertaining to Appendix R implementation and enforcement. These actions have now been resolved and we are proceeding to issue this action.

The violation in the enclosed Notice of Violation (Notice) involves five examples of the failure to provide adequate fire protection features for systems and electrical cabling necessary to achieve and maintain hot shutdown as required by Section III.G of Appendix R, for redundant equipment located outside the primary containment. The violation appears to have been the result of an inadequate reassessment of the fire protection features at Vermont Yankee.

Discussions with your personnel at the time of the inspection indicated that no modifications had been implemented by Vermont Yankee Nuclear Power Corporation beyond those previously made to comply with NRC Branch Technical Position (BTP) 9.5-1. This BTP stated the NRC's fire protection guidelines prior to Appendix R becoming effective. NRC Generic Letter 82-12 dated February 20, 1981 specifically emphasized the need to reassess fire protection features at your facility to assure compliance with the new NRC requirements in this area.

Your efforts to improve fire protection features at Vermont Yankee prior to the adoption of the requirements contained in Appendix R were considered. However, the failure to recognize the need to upgrade the fire protection features after

these requirements became effective indicates a significant breakdown in your efforts for assuring compliance with NRC requirements. The failure to recognize this need for evaluation and upgrade was evidenced by the five examples of the violation in the enclosed Notice and also by the fact that a study was not performed to assure that associated circuits in the Reactor Building were adequately protected from the effects of a fire.

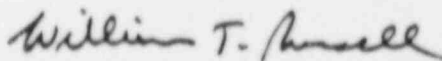
In accordance with the "General Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1987), the violation described in the enclosed Notice have been categorized as a Severity Level III violation. A civil penalty is considered for a Severity Level III violation or problem. However, after consultation with the Commission and the Deputy Executive Director for Regional Operations, I have been authorized to issue the enclosed Notice without a civil penalty. A civil penalty is not being proposed because of the apparent lack of clarity which existed regarding the fire protection requirements and the significant time that has elapsed since the inspection occurred. Given these factors, a civil penalty is not considered warranted.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. You may reference previous submittals regarding this matter in your response to this letter.

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

The responses directed by this letter and the enclosed 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.

Sincerely,



William T. Russell
Regional Administrator

Enclosure: Notice of Violation

cc w/encl:

R. W. Capstick, Licensing Engineer
J. Gary Weigand, President and Chief Executive Officer
J. P. Pelletier, Plant Manager
Donald Hunter, Vice President
Cort Richardson, Vermont Public Interest Research Group, Inc.
Gerald Tarrant, Commissioner, Department of Public Service
State of New Hampshire
State of Vermont

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