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RELATED CORRESPONDENCE

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

'88 OCT -3 P4:43

before the
ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
VERMONT YANKEE NUCLEAR POWER CORPORATION)	Docket No. 50-271-OLA-2 (Testing Requirements for ECCS and SLC Systems)
(Vermont Yankee Nuclear Power Station))	

VERMONT YANKEE'S FIRST SET OF
INTERROGATORIES AND REQUESTS FOR THE
PRODUCTION OF DOCUMENTS TO THE STATE OF VERMONT

Pursuant to 10 C.F.R. §§ 2.740b and 2.741, Vermont
Yankee Nuclear Power Corporation submits the following
interrogatories to the State of Vermont (hereinafter, the
"State").

1. Please identify all persons who participated in the preparation of answers to these interrogatories and production requests, and identify each interrogatory or portions of each interrogatory to which each person contributed.
2. Has the State prepared (or had prepared for it):
 - a. Any failure mode analysis for any component affected by the proposed amendment? If so, please provide the same.
 - b. Any analyses to quantify the impact of alternate testing on the availability of affected systems? If so, please provide each such analysis.

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3. Identify all NRC Reg. Guides, Bulletins, Circulars, Information Notices, and Generic Letters that the State contends are applicable to components and devices affected by the proposed amendment. For each such issuance identified, please specify the pages or sections that the State contends apply to components and devices affected by the proposed amendment and state the reasons why the State contends that each such page or section applies to such components and devices.

4. Does the state possess any information on any occurrence that it contends is a failure or reportable event in any of the systems or subsystems affected by this proposed amendment? If so, then for each such event please provide:

- a. The date of the Event.
- b. The system affected.
- c. The Event Report Number (if any).
- d. Identification of the component responsible or affected by the event.
- e. A description of the Event.
- f. The source(s) of information upon which the State relies.

5. Describe what the State contends are the bypassed and inoperable status indications required to be available to the control room operator for each system or subsystem affected by the proposed amendment. For each such requirement, identify the regulation or other item that the State contends imposes the requirement.

6. Identify any instance in the life of the plant in which the State contends that bypassed and inoperable status indication has not been set correctly.

7. Does the State contend that, regardless of any legal impedient, Vermont Yankee should withdraw the pending amendment on account of the matters addressed NUREG-1251 or NUREG/CR-3621? If so:

- a. State all of the reasons for your contention.
- b. Does your contention depend upon the conclusion that the proposed amendment either reduces safety or fails to enhance safety?

8. Does the State contend that there is any legal requirement that, if the amendment is approved the Surveillance Sections of the Technical Specifications that are proposed to be deleted be replaced with statements in the Technical Specification requiring operators to verify immediately the operability status of the redundant system? If so, please state each statute, regulation or other item that the State contends imposes such a requirement.

9. Does the State contend that the document defined in its interrogatories as "The Report" is a document that is subject to the requirements of 10 C.F.R., Part 50, Appendix B? If so, then:

- a. State each and every reason why the State contends that Appendix B applies to The Report.
- b. State each and every obligation that the State contends is imposed upon Vermont Yankee or anyone else on account of Appendix B.

- c. Identify each regulatory pronouncement upon which the State relies for its contention.
- d. Identify each fact upon which the State relies for its contention.

10. Does the State contend that the document defined in its interrogatories as "PLG-0500" is a document that is subject to the requirements of 10 C.F.R., Part 50, Appendix B? If so, then:

- a. State each and every reason why the State contends that Appendix B applies to The Report.
- b. Identify each regulatory pronouncement upon which the State relies for its contention.
- c. Identify each fact upon which the State relies for its contention.

11. Does the State concede that alternate testing is not part of the NRC's BWR Standard Technical Specification?

- a. If not, please identify each section of the Standard Technical Specification that the State contends imposes such an alternate testing requirement.
- b. Does the State take issue, in any respect, with the conclusion stated by Vermont Yankee in its submission dated December 7, 1987, that the proposed amendment "is consistent with the testing requirements contained in the BWR Standard Technical Specifications"?
- c. If so, then (i) state each respect in which the State takes issue with that statement, (ii) for each such respect, identify the portion of the Standard Technical Specifications with which the State contends the proposed amendment is not consistent, and (iii) state every fact upon which the State relies to support its contention.
- d. Please identify each other Boiling Water Reactor (BWR) that the State contends is now operating under alternate testing requirements of the sort proposed to be deleted by the pending amendment.

- e. For each such BWR, please identify (i) each specific testing requirement (by procedure or Technical Specification citation), and (ii) the source of information upon which the State relies for its contention.

12. Does the State contend that, either on account of the deletion of the alternate testing requirements proposed by the pending amendment, or otherwise, any Vermont Yankee "LCO 'out of service time' before power reduction" (as the term is used in the State's interrogatories) should be different from what it presently is? If so, then please list each LCO that the State contends should be changed, and for each such LCO state (i) what the State contends it should be changed to; (ii) every regulation or other regulatory issuance upon which the State relies for its contention; and (iii) every fact on which the State relies for its contention.

13. Please describe in detail each and every "design change[]" that the State contends is "possible or desirable to allow the required testing to be accomplished safely" within the meaning of Interrogatory 24(b) of the State's interrogatories.

14. Does the State contend that a requirement to "be at HOT SHUTDOWN within 12 hours of an inoperable redundant component" should be required in respect of any of the systems affected by the proposed amendment? If so, please identify each such system, and for each such system state (i) all of the reasons why the State contends the legal require-

ment should be imposed, (ii) the alternatives, both in terms of risk and cost, that the State has assessed in reaching its conclusion, (iii) the steps that the State has taken to have the legal requirements changed to conform to the State's contention as to what they should be.

15. With respect to the assertion of the State in its interrogatories that:

"At page 6 of 'The Report,' it is indicated that the linear approximation is valid only when the condition is met that the failure rate-time product is "much less" than 1. At page 7, the same condition applies, although it is not stated. However, for the failure rate data provided on pages 31 and 32, and the time periods graphed on pages 34 through 38, it appears this condition may not always be satisfied.",

please: (i) identify each respect in which the State contends that the referenced condition is not met; (ii) state all of the reasons why the State so contends, and (iii) state how the State contends the results of the analysis would change if "the failure rate-time product approaching 1 were taken into account."

16. With respect to the following assertion by the State in its interrogatories:

"The anomaly presented in the graphs on pages 34, 43 and 45 of "The Report" is purely a function of the attempt to repair while both redundant trains are inoperable instead of bringing the plant to an immediate safety shutdown condition. This is confirmed by statements in Sections 5.3.1 and 7.0 of "The Report." This is an anomaly because it seems to indicate it is more desirable to not discover a failure by testing (if the failure is to occur on the next demand), but rather to discover it in an accident event if one were to occur. The anomaly is removed from the results if it is assumed the

plant immediately proceeds to safe shutdown instead of repair."

please: (i) identify with precision the "anomaly" referred to; (ii) explain in detail why the State contends that the "anomaly" is "purely a function of the attempt to repair while both redundant trains are inoperable instead of bringing the plant to an immediate safety shutdown condition;" (iii) identify the "statements in Sections 5.3.1 and 7.0 of 'The Report' to which the State refers; (iv) explain in detail why the State contends that the "anomaly" is "confirmed by statements in Sections 5.3.1 and 7.0 of "The Report;" (v) state all of the reasons why the State contends that "it [presumably "The Report"] seems to indicate that it is more desirable to not discover [sic] a failure by testing (if the failure is to occur on the next demand, but rather to discover it in an accident event if one were to occur" (emphasis in original); and (vi) state why the State contends that "the anomaly is removed from the results if it is assumed the plant immediately proceeds to safe shutdown instead of repair."

17. Explain how the State contends that "the inoperable state of the standby Liquid Control System [should have been] taken into account in the analysis described in 'The Report.'"

18. Does the State contend that it would be "more prudent to withdraw the present amendment at this time pending establishment by the Industry of 'generally accepted

means [of directly associating levels of risk and risk changes with the requirement of any technical specification], 'endorsed by the NRC'? If so:

- a. Please explain the comparative implicit in the phrase: "more prudent" -- more prudent than what?
- b. State what the State would consider the maximum expected "do nothing" interval that would be acceptable, and explain your reasons for the selection.
- c. How the State would justify potentially indefinite postponement of safety enhancements that might otherwise have been accomplished by license amendments and technical specification improvements?
- d. Does your contention depend upon the conclusion that the proposed amendment in this proceeding either reduces safety or fails to enhance safety? If not, why not?

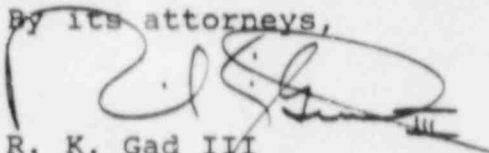
19. Does the State contend that "the 'out-of-service times,' during which it is proposed not to verify redundant subsystem availability by test . . . cause unnecessary risk to public health and safety and the environment"?

- a. If so, please state each of the reasons why the State so contends and each of the facts on which the State relies to support its contention.
- b. Has the State quantified the "risk" to which reference is made in the quoted language?
- c. If so, please state the quantification, describe how it was derived, and provide any reports, calculations or other documents prepared during or as a result of, or that the State contends support, the quantification.

20. Please identify (by providing the name, last known address, employer or business affiliation and occupation and business position held):

- a. Each person upon whose factual knowledge the State of Vermont intends to rely in support of its contention.
- b. For each such person identified, please state the facts to which such person might testify and the basis of such person's knowledge of such facts.
- c. Each person upon whose opinion or expertise the State of Vermont intends to rely in support of its contention.
- d. For each such person, please state the substance of each opinion held by such person on which the State relies and summarize the basis for each such opinion.

By its attorneys,



R. K. Gad III
Ropes & Gray
225 Franklin Street
Boston, Massachusetts 02110
Telephone: 617-423-6100

CERTIFICATE OF SERVICE

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I, R. K. Gad III hereby certify that on ^{OFF} _{DOCKET} September 27, 1988, I made service of the within document in accordance with the rules of the Commission by mailing a copy thereof postage prepaid to the following:

Charles Bechhoefer, Esquire,
Chairman
Administrative Judge
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory
Commission
Washington, DC 20555

Samuel H. Press, Esquire
Vermont Department of
Public Service
120 State Street
Montpelier, VT 05602

Mr. Glenn O. Bright
Administrative Judge
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory
Commission
Washington, DC 20555

George B. Dean, Esquire
Assistant Attorney General
Department of the Attorney
General
One Ashburton Place
Boston, MA 02108

Mr. James H. Carpenter
Administrative Judge
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory
Commission
Washington, DC 20555

Ann P. Hodgdon, Esquire
Office of the General Counsel
U.S. Nuclear Regulatory
Commission
Washington, DC 20555

Adjudicatory File
Atomic Safety and Licensing
Board Panel Docket (2 copies)
U.S. Nuclear Regulatory Commission
Washington, DC 20555


R. K. Gad III