



VERMONT YANKEE NUCLEAR POWER CORPORATION

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August 18, 1999
BVY 99-106

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555

**Subject: Vermont Yankee Nuclear Power Station
License No. DPR-28 (Docket No. 50-271)
Technical Specification Proposed Change No. 225
Missed Technical Specification Surveillance**

Pursuant to 10CFR50.90, Vermont Yankee (VY) hereby proposes to amend Facility Operating License DPR-28 by incorporating the attached proposed change into the VY Technical Specifications. The proposed change revises the definition of "Surveillance Frequency" to incorporate provisions that apply upon the discovery of a missed Technical Specification surveillance. This change is consistent with standard industry practices previously found acceptable to the NRC and contained in Standard Technical Specifications (e.g., NUREG 1433) and NRC Generic Letter 87-09.

Attachment 1 to this letter contains supporting information and the safety assessment of the proposed change. Attachment 2 contains the determination of no significant hazards consideration. Attachment 3 provides a marked-up version of the current Technical Specification page with the change noted. Attachment 4 contains the retyped Technical Specification pages incorporating the change.

VY has reviewed the proposed Technical Specification change in accordance with 10CFR50.92 and concludes that the proposed change does not involve a significant hazards consideration.

VY has also determined that the proposed change satisfies the criteria for a categorical exclusion in accordance with 10CFR51.22(c)(9) and does not require an environmental review. Therefore, pursuant to 10CFR51.22(b), no environmental impact statement or environmental assessment needs to be prepared for this change.

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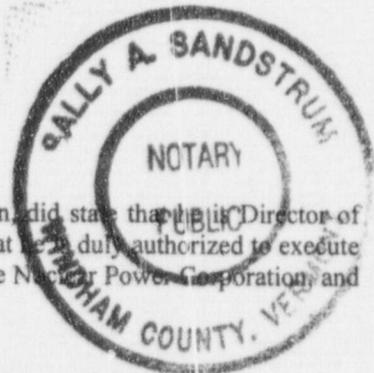
If you have any questions on this transmittal, please contact Mr. Jeffrey T. Meyer at (802) 258-4105.

Sincerely,

VERMONT YANKEE NUCLEAR POWER CORPORATION

Robert J. Wanczyk
Robert J. Wanczyk
Director of Safety and Regulatory Affairs

STATE OF VERMONT)
)ss
WINDHAM COUNTY)



Then personally appeared before me, Robert J. Wanczyk, who, being duly sworn, did state that he is the Director of Safety and Regulatory Affairs of Vermont Yankee Nuclear Power Corporation, that he is duly authorized to execute and file the foregoing document in the name and on the behalf of Vermont Yankee Nuclear Power Corporation, and that the statements therein are true to the best of his knowledge and belief.

Sally A. Sandstrum
Sally A. Sandstrum, Notary Public
My Commission Expires February 10, 2003

Attachments

- cc: USNRC Region 1 Administrator
- USNRC Resident Inspector - VYNPS
- USNRC Project Manager - VYNPS
- Vermont Department of Public Service

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Attachment 1

Vermont Yankee Nuclear Power Station

Proposed Technical Specification Change No. 225

Missed Technical Specification Surveillance

Supporting Information and Safety Assessment of Proposed Change

INTRODUCTION

This Proposed Change modifies current Technical Specification (TS) 1.0.Y by adding clarifying provisions to the definition of "Surveillance Frequency." The main provision added involves defining an acceptable time limit for completing a missed surveillance prior to declaring limiting conditions for operation (LCOs) not met. Other, related provisions clarify requirements for declaring LCOs not met under certain circumstances.

Background

The purpose of TS Surveillance Requirements, as stated in NRC regulation 10CFR50.36(c)(3), is "to assure that the necessary quality of systems and components is maintained, that facility operation will be within safety limits, and that the limiting conditions for operation will be met." NRC Generic Letter 87-09 elaborates on the relationship between TS surveillance requirements and limiting conditions for operation and provides specific guidance on the treatment of missed surveillances. The NRC staff position as set forth in GL 87-09 states, in part:

It is overly conservative to assume that systems or components are inoperable when a surveillance requirement has not been performed. The opposite is in fact the case; the vast majority of surveillances demonstrate that systems or components in fact are operable. When a surveillance is missed, it is primarily a question of operability that has not been verified by the performance of the required surveillance.

In the event that a TS surveillance is inadvertently not performed when required, plant shutdown may be required as a result of an associated LCO not being met. This Proposed Change provides for a specific, acceptable time limit for completing a missed surveillance prior to declaring applicable LCOs not met. Consequently, unnecessary plant shutdowns may be avoided.

Proposed Change:

Insert the following at the end of current TS 1.0.Y, Surveillance Frequency:

If it is discovered that a surveillance was not performed within its specified frequency, declaring applicable Limiting Conditions for Operation (LCOs) not met may be delayed, from the time of discovery, up to 24 hours or up to the limit of the specified frequency, whichever is less. This delay period is permitted to allow performance of the surveillance.

If the surveillance is not performed within the delay period, applicable LCOs must immediately be declared not met, and applicable LCOs must be entered.

When the surveillance is performed within the delay period and the surveillance is not met (i.e., acceptance criteria are not satisfied), applicable LCOs must immediately be declared not met, and applicable LCOs must be entered.

Reasons for the Change:

This change expands the definition of "Surveillance Frequency" and establishes the flexibility to defer declaring affected equipment inoperable (or an affected variable outside the specified limits) when a surveillance has not been performed within the specified frequency. Under such circumstances, declaring

the LCO not met may be delayed for up to 24 hours instead of the LCO being declared not met at the time it is discovered that the surveillance has not been performed.

As noted in GL 87-09, if actions required initiation of a plant shutdown because of a missed surveillance, it is likely that the required surveillance would be conducted during the plant shutdown because completion of the surveillance would negate the shutdown requirement. This situation could create unnecessary risk since the plant would be in a transient state involving changing plant conditions that offer the potential for an upset which could lead to a demand for the system or component being tested. Needlessly risking a plant upset while a safety system is out of service for testing, or when there is reduced confidence in its ability to function properly as a result of the missed surveillance, is not in the best interest of plant safety. Even if the system or component were demonstrated to be inoperable, it usually would be preferable to restore it to operable status prior to making a change in plant conditions.

Bases for the Change:

The NRC staff in GL 87-09 clearly articulates the bases and reasoning for providing a time limit that would allow a delay of the required LCO actions to permit the performance of the missed surveillance. The time limit is based on consideration of plant conditions, adequate planning, availability of personnel, the time required to perform the surveillance, as well as the safety significance of the delay in completing the surveillance. After carefully considering these factors, the NRC staff concluded that 24 hours would be an acceptable time limit for completing a missed surveillance. This limit balances the risks associated with an allowance for completing the surveillance within this period against the risks associated with the potential for a plant upset and challenge to safety systems when the alternative is a plant shutdown.

A delay period of up to 24 hours or up to the limit of the specified frequency, whichever is less, applies from the point in time that it is discovered that the surveillance has not been performed in accordance with its specified frequency. If the specified TS surveillance interval were more frequent than once per 24 hours (e.g., every hour), the delay period would be less than 24 hours (e.g., one hour, if the specified frequency were once per hour). This delay period provides adequate time to complete surveillances that have been missed and permits the completion of a surveillance before complying with required actions or other remedial measures that might preclude completion of the surveillance.

When a surveillance with a frequency based not on time intervals, but upon specified unit conditions or operational situations, is discovered not to have been performed when specified, a full delay period of 24 hours is allowed to perform the surveillance.

Failure to comply with the specified frequencies in surveillance requirements is expected to be an infrequent occurrence. Use of the delay period established is a flexibility, which is not intended to be used as an operational convenience to extend surveillance intervals.

The second and third paragraphs added clearly state the actions to be taken in the event that the surveillance is not performed within the delay period or the surveillance results in failure to meet the acceptance criteria. This clarification will help avoid confusion as to when applicable LCOs must be entered (i.e., immediately) in such events.

If a surveillance is not completed within the allowed delay period, then the affected equipment is considered inoperable or the affected variable is considered outside the specified limits. For such a condition, the completion times of the required actions for the applicable LCO begin immediately upon expiration of the delay period.

If a surveillance is failed (i.e., acceptance criteria not satisfied) within the delay period, then the affected equipment is inoperable, or the affected variable is outside the specified limits. For such a condition, the

completion times of the required actions for the applicable LCO begin immediately upon the failure of the surveillance.

Completion of the surveillance within the delay period (allowed by this definition) restores compliance and permits the applicable LCOs to be met. Systems and components are then assumed to be operable when the associated surveillance requirements have been met.

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Attachment 2

Vermont Yankee Nuclear Power Station

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Missed Technical Specification Surveillance

Determination of No Significant Hazards Consideration

Pursuant to 10CFR50.92, VY has reviewed the proposed change and concludes that the change does not involve a significant hazards consideration since the proposed change satisfies the criteria in 10CFR50.92(c).

The proposed change modifies current Technical Specification (TS) 1.0.Y by adding clarifying provisions to the definition of "Surveillance Frequency." This change establishes the flexibility to defer declaring affected equipment inoperable (or an affected variable outside the specified limits) when a surveillance has not been performed within the specified frequency.

Upon discovery of a missed surveillance, the change will not allow unlimited plant operation such that a single failure will preclude the associated function from being performed. This change will allow delay in the entry into applicable limiting conditions for operation for up to 24 hours when a surveillance requirement has not been performed when specified. It is overly conservative to assume that systems or components are inoperable when a surveillance has not been performed. In fact, the opposite is the case—the vast majority of surveillances demonstrate that systems or components are operable. When a surveillance is not performed, it is primarily a question of operability that has not been verified by performance of the surveillance.

The revised definition contains provisions consistent with standard industry practices and has previously been found acceptable to NRC in Standard Technical Specifications (e.g., NUREG 1433) and Generic Letter 87-09.

1. The operation of Vermont Yankee Nuclear Power Station in accordance with the proposed amendment will not involve a significant increase in the probability or consequences of an accident previously evaluated.

This change does not result in any physical alteration of plant systems, structures or components; nor does the change modify the manner in which plant equipment will be operated or maintained. As a result, the proposed change does not affect any of the parameters or conditions that contribute to the initiation or mitigation of any accidents previously evaluated.

Surveillance frequencies are not assumed in the initiation of any analyzed event. Thus, conditions assumed in the plant accident analyses are unchanged. Furthermore, there is no relaxation of required setpoints or operating parameters.

Therefore, the probability or consequences of an accident previously evaluated are not significantly increased since the most likely outcome of performing a surveillance is that it does, in fact, demonstrate the system or component is operable. VY has, therefore, determined that the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. The operation of Vermont Yankee Nuclear Power Station in accordance with the proposed amendment will not create the possibility of a new or different kind of accident from any accident previously evaluated.

The proposed change will not modify the physical plant or the modes of plant operation. The changes do not involve the addition or modification of equipment nor do they alter the design or operation of plant systems. These changes to Technical Specifications do not create any new or

different kind of accident since they do not involve any change to the plant or the manner in which it is operated.

Therefore, VY has determined that the proposed change does not create the possibility of a new or different kind of accident from any accident previously.

3. The operation of Vermont Yankee Nuclear Power Station in accordance with the proposed amendment will not involve a significant reduction in a margin of safety.

The proposed change does not affect design margins or assumptions used in accident analyses. The capability of safety systems to function and limiting safety system settings are similarly unaffected as a result of this change.

The increased time allowed (up to 24 hours) for the performance of a surveillance discovered to have not been performed, is acceptable based on the small probability of an event requiring the associated component. The requested allowance will provide sufficient time to perform the missed surveillance in an orderly manner. Without the 24 hour delay, it is possible that the missed surveillance would force a plant shutdown; thus, the plant could be shutting down while the missed surveillance is being performed. As a result of this delay, the potential for human error will be reduced. Consequently, there is no significant reduction in a margin of safety as overall plant safety is enhanced due to the avoidance of unnecessary plant shutdowns.

Conclusion

On the basis of the above, VY has determined that operation of the facility in accordance with the proposed change does not involve a significant hazards consideration as defined in 10CFR50.92(c), in that it: (1) does not involve a significant increase in the probability or consequences of an accident previously evaluated; (2) does not create the possibility of a new or different kind of accident from any accident previously evaluated; and (3) does not involve a significant reduction in a margin of safety.