



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

October 27, 1999

Mr. Robert J. Wanczyk
Acting Director of Operations
Vermont Yankee Nuclear Power Corporation
185 Old Ferry Road
Brattleboro, VT 05301

SUBJECT: VERMONT YANKEE NUCLEAR POWER STATION RE: REVISIONS TO THE
UFSAR - PAST AND FUTURE COMPLIANCE WITH 10 CFR 50.71(e)(4)

Dear Mr. Wanczyk:

Title 10 of the *Code of Federal Regulations* (10 CFR), Subsection 50.71(e)(4) specifies the schedular requirements whereby licensees are to submit revisions to their Updated Final Safety Analysis Reports (UFSARs). It requires revisions to be made "...annually or 6 months after each refueling outage provided the interval between successive updates does not exceed 24 months." In a 1997 survey we found numerous incidents of noncompliance by licensees of both single- and multi-unit plants with this schedular requirement. In many cases, licensees for multi-unit sites were basing their UFSAR submissions on the outage schedule of one unit.

We understand that some confusion about the proper interpretation of 10 CFR 50.71(e)(4) may have been caused by an NRC staff letter to Commonwealth Edison Company (ComEd) dated June 15, 1993, which endorsed a submission schedule proposed by ComEd for its plants. Neither ComEd's proposed schedule nor the staff's endorsement were in literal compliance with 10 CFR 50.71(e)(4). Nevertheless, many licensees adopted the staff position expressed in the June 15, 1993, letter and thus deviated from the schedular requirements of this regulation. Recently, the staff granted exemptions to the ComEd plants. The transmittal letter (D. Skay to O. D. Kingsley, dated July 27, 1999) states that "this [Skay] letter and the enclosed exemptions supersede our letter of June 15, 1993."

We note that you have not requested a schedular exemption to 10 CFR 50.71(e)(4) for Vermont Yankee. This may indicate that either you intend to comply with the correct interpretation of the regulation, or you may have incorrectly interpreted the regulation in the past. The purpose of this letter is to clarify any misunderstanding of this regulation. We will exercise enforcement discretion, in accordance with Section VII.B.6 of the NRC Enforcement Policy, for any incidents of past violation of 10 CFR 50.71(e)(4). In the future we will enforce the schedular requirements as prescribed, or as modified by an exemption for Vermont Yankee.

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R. Wanczyk

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There is no need to respond to this letter. If you have any questions, please call me at 301-415-1475.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Croteau". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Richard P. Croteau, Project Manager, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-271

cc: See next page

Vermont Yankee Nuclear Power Station

cc:

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October 27, 1999

There is no need to respond to this letter. If you have any questions, please call me at 301-415-1475.

Sincerely,

Original signed by:
Richard P. Croteau, Project Manager, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

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cc: See next page

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