

# YANKEE ATOMIC ELECTRIC COMPANY

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CHAIRMAN, PRESIDENT  
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November 2, 1999  
BYR 99-072

United States Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, DC 20555

- References:
- (a) License No. DPR-3 (Docket No. 50-29)
  - (b) Letter, D.K. Davis (YAEC) to Document Control Desk (NRC), "Request for Modification of YNPS's Defueled TS to Consolidate Management Positions and to Transfer Review and Audit Functions to the Yankee Decommissioning Quality Assurance Program," March 17, 1999.
  - (c) Letter, D.K. Davis (YAEC) to Document Control Desk (NRC), "Amendment of a YAEC Request for Modification of YNPS's Defueled TS," April 23, 1999.
  - (d) Letter, M.J. Atkins (YAEC) to Document Control Desk (NRC), "Additional Information Concerning YAEC's Request for Modification of Administrative Elements of YNPS's Defueled TS," July 21, 1999.

Subject: Amendment to Yankee Atomic Electric Company's Request for Modification of Yankee Nuclear Power Station Defueled Technical Specifications

In Reference (b), pursuant to 10 CFR Section 50.90 of the Commission's Rules and Regulations, Yankee Atomic Electric Company (YAEC) requested Nuclear Regulatory Commission (NRC) review and approval of a modification to Appendix A of the Yankee Nuclear Power Station (YNPS) Possession Only License (POL). The proposed change to the YNPS Defueled Technical Specifications (TS) involved a consolidation of management positions and a transfer of review and audit functions to the Yankee Decommissioning Quality Assurance Program (YDQAP).

This request was subsequently amended in Reference (c), where YAEC requested that the modified review and audit functions be retained in the YNPS Defueled TS, rather than be transferred to the YDQAP.

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To support the review and approval of certain aspects of this amended request, YAEC provided additional information and clarification to the NRC in Reference (d).

To further facilitate the review and approval process of this proposed change to the YNPS Defueled TS, this letter provides the following supporting information.

The proposed change to the YNPS Defueled TS does not specify the performance of audits of the Defueled Emergency and Security Plans under the cognizance of the Independent Review and Audit Committee (IRAC). The basis of deleting the reference to these requirements from the TS is that the YNPS Emergency Plan, YNPS Security Plan, and YNPS Security Training and Qualification Plan currently contain a specific requirement for the performance of an annual audit of the individual Plan. Under 10 CFR Sections 50.54(q) and 50.54(p)(1), the licensee may make changes to the emergency and security plan, respectively, without Commission approval only if the changes do not decrease the effectiveness of the plans. It is YAEC's understanding that the elimination or reduction of audit requirements would result in a decrease in the effectiveness of the plan and would require NRC approval. Therefore, having audit requirements specified within the TS is redundant and unnecessary. Moreover, the regulations contained in 10 CFR Section 50.54(p)(3) and Appendix C to Part 73 require a review and audit of the safeguards contingency plan at least every 12 months, while 10 CFR Section 50.54(t) requires a review of the emergency preparedness program at least every 12 months.

YAEC intends to maintain these audit requirements in the individual Plans. The audits are performed by the QA Organization, as are other audits that are required to be performed under the cognizance of the IRAC. In addition, YAEC will ensure that an appropriate level of oversight is applied to proposed changes to these Plans, commensurate with the significant reduction in the scope and complexity of activities being conducted at a facility in the advanced stages of decommissioning. YNPS Administrative Procedures will control changes to the YNPS Emergency Plan, YNPS Security Plan, and YNPS Security Training and Qualification Plan, and associated implementing procedures, by requiring that changes be reviewed by an Independent Safety Reviewer.

In addition to providing the above clarifying information, YAEC wishes to amend Reference (c) as described below.

### **MODIFICATION OF PROPOSED CHANGES**

This amendment of the change request in Reference (c) involves the following:

- allows the IRAC to consult individuals with knowledge and experience in other functional areas, if deemed necessary
- specifies the frequency of audits that are required to be performed under the cognizance of the IRAC

The proposed new pages of the YNPS Defueled TS are provided in Attachment I. Except for the revision to TS Sections 6.5.2.b and 6.5.2.g, these pages are identical to those given in Attachment II of Reference (c).

**REASON AND BASIS FOR CHANGE**

The reason and basis for change put forth in Reference (b) remains essentially unchanged.

This amendment allows the IRAC to consult individuals with knowledge and experience in other functional areas, if deemed necessary. This minor administrative change has been added per the instruction of the Commission.

This amendment also states the frequency of audits of facility activities that are required to be performed under the cognizance of the IRAC. The assigned audit frequencies are in accordance with those required in ANSI N18.7 – 1976, “American National Standard Administrative Controls and Quality Assurance for the Operational Phase of Nuclear Power Plants, Revision of N18.7 – 1972,” as endorsed in Revision 2 of Regulatory Guide 1.33, “Quality Assurance Program Requirements (Operation).” YAEC has committed to comply with the requirements of ANSI N18.7 – 1976 in the YDQAP.

**SIGNIFICANT HAZARDS CONSIDERATION**

The evaluation provided in Reference (b) remains completely valid.

**ENVIRONMENTAL IMPACT DETERMINATION**

The evaluation provided in Reference (b) remains completely valid.

Very truly yours,

YANKEE ATOMIC ELECTRIC COMPANY



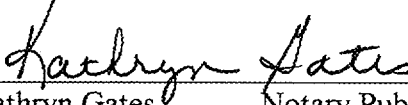
Don K. Davis, Chairman  
President and CEO

Attachments

C: M.B. Fairtile, USNRC, Senior Project Manager  
R.B. Bellamy, USNRC, Region I

COMMONWEALTH OF MASSACHUSETTS  
WORCESTER COUNTY

Then personally appeared before me, Don K. Davis, who, being duly sworn, did state that he is Chairman, President and Chief Executive Officer of Yankee Atomic Electric Company, that he is duly authorized to execute and file the foregoing document in the name and on behalf of Yankee Atomic Electric Company, and that the statements therein are true to the best of his knowledge and belief.

  
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Kathryn Gates Notary Public  
My Commission Expires January 1, 2004

