

VERMONT YANKEE NUCLEAR POWER CORPORATION

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BVY 99-120

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

- References:
- (a) Letter, USNRC to Mr. W.P. Johnson, Vice President, YAEC, "Yankee Atomic Electric Company – Operational QA Program," dated June 10, 1981.
 - (b) Letter, USNRC to Mr. W.P. Johnson, Vice President, YAEC, "Acceptance of Revision 11 to Yankee Atomic Electric Company (YAEC) Operational Quality Topical Report, YOQAP-1-A," NVCY 82-83, dated May 14, 1982.
 - (c) NRC Special Inspection Report 50-271/98-80, "Notice of Violation and Exercise of Enforcement Discretion, EA 98-333/EA 98-372," dated July 16, 1998, as amended July 24, 1998.

**Subject: Vermont Yankee Nuclear Power Station
License No. DPR-28 (Docket No. 50-271)
Proposed Revision to the Vermont Yankee Operational Quality Assurance Manual**

Enclosed for your review is a proposed revision to the Vermont Yankee (VY) Operational Quality Assurance Manual (VOQAM). VY proposes to modify the VOQAM Appendix B exception to Regulatory Guide 1.26 to indicate that the bases for safety classification of systems, structures and components (SSCs) are located in the Final Safety Analysis Report (FSAR). This is being done in response to discussions between the Staff and VY regarding the proper location for safety classification basis information. In addition, this revision will modify VY's present approved exception to ANSI N18.7-1976 regarding periodic procedure review. These changes require NRC approval in accordance with 10CFR50.54(a)(3) prior to implementation because they will reduce quality assurance commitments presently described in the NRC-approved revision of the VOQAM and will replace them with alternative criteria. If approved, they will be incorporated in a subsequent VOQAM update which will be submitted in accordance with the provisions of 10CFR50.71(e).

Description of the Changes

VY proposes to modify the exception statement and alternative actions presently described in VOQAM Appendix B, Exception VII, by taking general exception to inclusion of safety classification requirements in the VOQAM and referring instead to the FSAR for identification of classification criteria. It is VY's intent to relocate the present requirements without change from the VOQAM to the FSAR.

VY proposes to modify the alternative actions presently contained in VOQAM Appendix B, Exception IX, Item B, by excusing routine plant procedures from the periodic, scheduled review described in ANSI N18.7-1976 because they receive continuous scrutiny as part of various ongoing assessment actions, and are updated as appropriate when these actions identify necessary or desirable changes.

The attached VOQAM pages have been reworded to reflect these changes.

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Reason for the Changes

In 1981 VY received Reference (a), which requested us to submit an update to the QA Program to reflect its degree of conformance to then-current regulatory and industry guidance, including Regulatory Guide 1.26 – Rev. 3 (2/76), “Quality Group Classifications and Standards for Water-, Steam-, and Radioactive-Waste-Containing Components of Nuclear Power Plants.” In the response to that letter, VY took exception to Regulatory Guide 1.26 in its entirety, and committed to classification of plant SSCs in accordance with ANS-22, Draft 4, Rev. 1, May 1973.

The proposed exception and alternative commitment were approved by the NRC in Reference (b) as part of Revision 11 to the Yankee Atomic Electric Company Operational Quality Assurance Program, YOQAP-1-A (predecessor to the VOQAM), and are presently described in VOQAM Appendix B. However, discussions with the Staff in 1998 revealed the current preference to have this type of information contained in the FSAR rather than the Quality Assurance Program, since changes would then be subject to a safety evaluation under 10CFR50.59 rules.

The change to Exception IX of Appendix B is desired to recognize and credit the various ongoing assessment activities that, in combination, achieve effective scrutiny of routine procedures, and that can serve as a suitable alternative to periodic, scheduled reviews. The proposed alternative expands upon the previously approved reduction in commitment currently reflected in Exception IX and also provides clarification of terms used in that Exception.

Basis for Acceptability of the Changes

Our review of the VY licensing bases indicates that removing the safety classification requirements from the VOQAM and relocating them to the FSAR will provide for a more appropriate level of review and approval for any changes to the classification bases. This will strengthen the program in the areas of weakness identified in Reference (c).

The FSAR presently includes sections addressing classification of plant systems. These sections establish two classification bases, “power generation considerations” and “safety considerations,” that are not definitive regarding the regulatory or industry criteria for application of the safety considerations. Relocating the safety classification requirements from the VOQAM to the FSAR will establish a suitable reference for SSC classification as described in subsection 1.4.2 and Table 1.2.1, and will provide a baseline for evaluating changes to classification status under 10CFR50.59.

The periodic, scheduled reviews of routine plant procedures are paralleled by ongoing assessment activities that determine the adequacy of the procedures and identify necessary updates; thus, performance of scheduled reviews in this environment of continuous assessment is redundant and produces little added benefit. Programmatic controls and practices are in place that provide assessment of routine procedures at least equivalent to that achieved through periodic reviews, including measures for practical evaluation by users who are knowledgeable in the procedures, and completion of prompt updates to ensure continued adequacy. These actions are performed during suitably controlled activities such as normal procedure usage, development of plant modifications, industry experience reviews, licensing actions, training activities, corrective actions for nonconforming conditions, and quality assurance audits and surveillances. Because VY’s routine procedure population has matured and seldom requires general upgrading, in-process assessment and update of specific procedure content as described above is considered adequate to meet the intent of the scheduled reviews required by ANSI N18.7.

Conclusions

Vermont Yankee has evaluated these changes in accordance with 10CFR50.54(a)(3) and has determined that, although relocation of the existing safety classification requirements from the VOQAM to the FSAR will result in no changes in the current requirements, the relocation constitutes removal of these requirements from 10CFR50.54(a)(3) control since they will no longer be part of the VOQAM. This is considered to be a reduction in a previous quality assurance commitment that requires NRC approval prior to implementation. The change in review requirements for routine plant procedures is an expansion of a previous reduction in commitment approved by the Staff as part of YOQAP-1-A, Revision 26, and as such requires further NRC consideration prior to implementation.

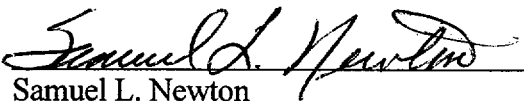
VY hereby requests NRC approval of these changes by March 31, 2000 on the basis that they do not represent an increased risk to the public health and safety beyond that already analyzed in the plant licensing bases because:

- 1) the relocation of safety classification criteria to the FSAR will strengthen the control of the classification bases under 10CFR50.59, adequately compensating for the removal of these criteria from the VOQAM;
- 2) the safety classification criteria will continue to be applied in a manner that ensures a quality level commensurate with the safety function(s) to be performed;
- 3) the continuous assessment of routine plant procedures as an alternative to the periodic, scheduled review required by ANSI N18.7-1976 will meet the intent of that standard for timely identification of necessary or desirable changes .

If you have any questions about this submittal, please contact Mr. Wayne M. Limberger at (802) 258-4237.

Sincerely,

VERMONT YANKEE NUCLEAR POWER CORPORATION


Samuel L. Newton
Vice President, Operations

Attachments

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