VERMONT YANKEE
NUCLEAR POWER CORPORATION

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November 23, 1999
BVY 99-150

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

References: (a) Letter, USNRC to VYNPC, "NRC Inspection Report No. 50-271/99-12 and Notice of Violation," NVY 99-77, dated August 19, 1999.
(b) Letter, VYNPC to USNRC, "Reply to a Notice of Violation – NRC Inspection Report No. 99-12," BVY 99-125, dated September 29, 1999.

Subject: **Vermont Yankee Nuclear Power Station**
License No. DPR-28 (Docket No. 50-271)
Supplemental Response to a Notice of Violation–Inspection Report No. 99-12

This letter supplements our earlier response (Reference b) to the violation cited in your inspection report (Reference a) based upon discussions that took place between the Staff and Vermont Yankee on October 26, 1999 at NRC Region 1 offices.

Based on those discussions, Vermont Yankee agrees that a quantitative unavailability criterion is necessary to measure the performance of all systems that perform risk-significant functions during outage periods. This determination includes the monitoring of functions at the train level, even when the system or sub-train is not required to be operable by Technical Specifications, to assess maintenance effectiveness.

The following clarifications are intended to document the understandings reached between Vermont Yankee and the Staff at the October 26 meeting.

- Vermont Yankee establishes the quantitative unavailability criteria for refueling risk significant systems each outage only when the outage is controlled within the planning and scheduling process of the Outage Work Management procedure. Otherwise, during transitional modes and during unplanned or forced outage situations, the established on-line unavailability criterion will be used.

- Vermont Yankee outage scheduling strives to minimize the out-of-service times of systems and therefore the unavailability 'hourly' criterion is based on the best estimate of the time necessary to perform the scheduled work activities for each specific system outage window. An independent risk perspective review by a PRA engineer of the final schedule and any subsequently revised schedules provides for appropriate criteria that are commensurate with safety.

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- Future refueling outage unavailability criterion may be developed from a historical review of subsequent outage periods.

- The existing monitoring methodology to verify the adherence to safety during refueling outages (i.e. planning states) will also be maintained. Exceeding either of the established criteria, "minimum planning state" or the quantitative "unavailability criterion," will trigger a performance evaluation. The evaluation will document all pertinent events that contributed to exceeding the established criteria while providing the vehicle for 10CFR50.65(a)(1) considerations and the development of any corrective actions and/or maintenance adjustments to restore acceptable performance and 10CFR50.65(a)(3) balance.

- Vermont Yankee utilizes, for paragraph (a)(3) considerations, an approach consistent with NUMARC 93-01 regulatory guidance. Since performance history, preventive maintenance activities and out of service time were taken into consideration when performance criteria were developed, a satisfactory balance of availability and reliability is achieved when performance criteria are met. An acceptable balance between availability and reliability is demonstrated on an on-going basis for risk significant Systems, Structures and Components (SSCs) when SSC performance is maintained within our established performance criteria.

- The Vermont Yankee Maintenance Rule Program has been revised to clearly reflect the utilization of scheduled hours as the unavailability criterion to assess the effectiveness of maintenance on systems that perform risk-significant functions during refueling outage periods.

Based upon the above noted program changes, Vermont Yankee is confident that maintenance effectiveness and the balancing of reliability and availability are being adequately monitored and evaluated to meet the requirements of the Maintenance Rule.

As discussed during the October 26 meeting, after the last outage (RFO-20), Vermont Yankee conducted a Maintenance Rule self-assessment. The assessment recommended several program enhancements, one of which focused on the refueling outage monitoring process. The recommendation to monitor refueling outage systems performing risk-significant functions against an unavailability (hours) criterion established for specific system work windows, in addition to the existing Key Plant Safety Function monitoring, was approved and implemented. Revisions to the appropriate program documents were completed in December 1998 and implementation of the expanded monitoring program occurred during our current refueling outage (RFO-21). If this aspect was not previously considered, we respectfully request that this violation be reconsidered based upon the self-assessment and planned corrective actions to our shutdown monitoring process which were in place at the time of the subject inspection.

Should you have any questions or desire additional information concerning this submittal, please contact Mr. Jeffrey T. Meyer at (802) 258-4105.

Sincerely,

VERMONT YANKEE NUCLEAR POWER CORPORATION

Robert J. Wanczyk
Director of Safety and Regulatory Affairs

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

SUMMARY OF VERMONT YANKEE COMMITMENTS

BVY NO.: 99-150

The following table identifies commitments made in this document by Vermont Yankee. Any other actions discussed in the submittal represent intended or planned actions by Vermont Yankee. They are described to the NRC for the NRC's information and are not regulatory commitments. Please notify the Licensing Manager of any questions regarding this document or any associated commitments.

COMMITMENT	COMMITTED DATE OR "OUTAGE"
None	N/A