

In the Matter of

Docket No. 50-271  
(License No. DPR-28)

Entergy Nuclear Operations, Inc.  
(Vermont Yankee Nuclear Power Station)

The petitioner requested that the Nuclear Regulatory Commission (NRC) take enforcement actions against Entergy Nuclear Operations, Inc., the operator of Vermont Yankee, as result of inoperability of main steam safety relief valves (SRVs). Mr. Thomas Saporito requested in his petition that the NRC: (1) issue a confirmatory order requiring the licensee to immediately bring the reactor in question to a cold shutdown mode of operation; (2) issue a civil penalty against the licensee; (3) remove the licensee's employees responsible for this matter from NRC licensed activities for a period of no less than 5 years; and (4) perform an immediate NRC investigation and inspection of the VY nuclear facility to ensure that all nuclear safety-related systems are properly operational in accordance with the licensee's Technical Specifications (TS) and NRC License.

The final Director's Decision on this petition was issued on September 9, 2011. The petition cited problems related to inoperability of main steam SRVs due to leakage through the shaft to piston thread seals. Due to the redundancy in Automatic Depressurization System (ADS) design, the availability of the high pressure core injection system, and the availability of a safety-class backup nitrogen supply, the ability to depressurize the reactor was maintained, and there was no potential adverse impact to public health and safety. Therefore, no reports were required pursuant to 10 CFR 50.72. On December 22, 2010, under the timely LER reporting requirements of 10 CFR 50.73(a)(2)(i)(B), Entergy submitted the LER 05000271/2010-002-00&01: Inoperability of Main Steam Safety Relief Valves Due to Degraded Thread Seals, within 60 days after the discovery of the event that was determined to be reportable on October 25, 2010. The NRC resident inspectors reviewed the LER 05000271/2010-002-00&01, and documented their inspection results in the NRC Integrated Inspection Report 05000271/2011002 dated April 29, 2011 (ADAMS Accession No. ML111190386), which also included the LER closeout review and two Licensee Identified Violations related to the discovery of the SRV issue.

The NRC has decided to deny petitioner's request to bring VY to a cold shutdown mode of operation and to perform an immediate NRC investigation and inspection of VY, but has granted the petition, in part, concerning the inoperability of main steam SRVs. The NRC Integrated Inspection Report 05000271/2011002 dated April 29, 2011, documented an LER closeout review and two Licensee Identified Violations related to the discovery of the SRV issue. Petitioner's concern regarding the inoperability of SRVs at VY has been adequately resolved such that no further action is needed.