



VERMONT YANKEE NUCLEAR POWER CORPORATION

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REPLY TO:

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April 9, 1982

United States Nuclear Regulatory Commission
Washington, D. C. 20555

Attention: Office of Nuclear Reactor Regulation
Mr. D. G. Eisenhut, Director
Division of Licensing

References: (a) License No. DPR-28 (Docket No. 50-271)
(b) Federal Register Pages 58484-58486, dated December 2, 1981

Subject: Vermont Yankee Position On 10 CFR 50.44 Regarding Hydrogen
Recombiner Capability

Dear Sir:

We have completed our review of the latest revision to 10 CFR 50.44 and conclude that Vermont Yankee currently meets the overall requirements of that regulation.

During our review, we identified a conflict within the regulation: paragraph (c)(3)(ii) would require Vermont Yankee to provide the capability to install recombiners, while paragraph (g) exempts Vermont Yankee from any further modifications in this area. After carefully examining the subject rule and all its ramifications, we have concluded that the proper interpretation of this rule, as it applies to our facility, exempts Vermont Yankee from the requirements of paragraph (c)(3)(ii) by the provisions of paragraph (g). We have consulted our legal counsel on this matter, and they concur with our conclusion. Our request for an opinion of the general council of the commission with respect to this matter has, we understand, been referred to the Office of the Executive Legal Director. We have received no comment from that office, adverse or otherwise, at this time.

During our investigation into the circumstances behind this rule, we were greatly alarmed to learn that the staff may have led the Commission to believe that the impact of this new regulation on operating plants will be minimal. The staff assumed the cost of providing the "capability to install" recombiners was on the order of \$100,000 per plant. This figure is not consistent with utility estimates which we have seen which are:

- installation of piping and support systems ("capability to install") - over \$1,000,000
- Cost of providing recombiners - \$2,000,000



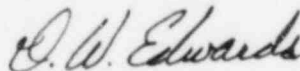
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The cost of providing recombiners must be considered because a conservative interpretation of this vague requirement would actually require some plants to maintain recombiners at the plant site. In any event, the fact that the cost to provide the "capability to install" in itself has been underestimated by an order of magnitude clearly indicates that the real impact of this requirement on operating plants is not understood by the staff. Another indication of this failing is the schedule for this requirement. It could require implementation as early as July of 1982. Our investigations indicate that lead times on recombiners are on the order of two years. This could be longer if all of those utilities affected are seeking hardware in the same period. This obviously makes the requirement for providing "capability to install" recombiners in the required time frame impossible.

In conclusion, we believe that Vermont Yankee currently meets the overall requirements of 10 CFR 50.44. In making this determination, our review of the regulation has disclosed severe discrepancies between staff assumptions and real world conditions which cast grave doubts on the validity of the analysis upon which this rule is based. In any event, since the recombiner requirement apparently does not apply to Vermont Yankee, we believe that no further action is required. Our brief assessment of the relatively meager technical basis provided in support of this requirement lends support and confidence to our decision.

Very truly yours,

VERMONT YANKEE NUCLEAR POWER CORPORATION



D. W. Edwards
Director, Operational Projects

RLS:dad