

JAN 25 1993

Docket No. 50-271

Mr. Michael Daley
New England Coalition on
Nuclear Pollution, Inc.
Box 545
Brattleboro, Vermont 05302

Dear Mr. Daley:

I am responding to your letter to Chairman Selin dated December 16, 1992, in which you expressed concern that "budgetary pressures" are causing "systematic degradation of safety related components at the Vermont Yankee plant." Additionally, you expressed concern that NRC oversight has neither identified nor addressed this issue, in part, due to limited NRC resources.

The NRC is concerned with events, such as those cited in your letter. Such events, individually and collectively, have been and continue to be critically reviewed. However, the NRC's independent review of events at the Vermont Yankee Nuclear Power Station (VYNPS) does not support your assertion that a "systematic degradation of safety-related components" is occurring. The NRC previously reviewed each of your cited examples; however, no apparent connection between the examples cited and any degradation of equipment caused by neglect from budgetary pressures was found. These events were attributed to other causes, including procedural deficiencies, personnel errors, manufacturing defects, design issues and ineffective corrective actions. Further, these events as an aggregate are not "extraordinary" or "pervasive," considering frequency and safety significance.

Your characterization of certain events warrants elucidation; specifically a feedwater check valve (FDW-96A), two intermediate range monitors (IRMs), and two average power range monitors (APRMs) are cited as examples where equipment remained deficient for extended periods without appropriate resources applied to correct the deficiency.

In your letter, you stated, "This (cost cutting), in turn, leads to non-conservative judgements about running the plant with equipment in a degraded mode like the tolerance, for over six years, of leakage in feedwater check valve 96A." The licensee is required to test this valve every refueling outage to ensure that leakage is within limits before plant startup. As documented in NRC Inspection Report 50-271/89-02 (IR 89-02), FDW-96A failed leakage tests during the 1983, 1984, 1985 and 1989 refueling outages. Although the licensee repaired this valve after every test failure, and before the subsequent plant startups, the NRC concluded in IR 89-02 that the licensee's corrective actions to prevent recurrence were in fact ineffective. During the 1990 refueling outage, after another failure, the licensee reached a root cause determination and replaced the valve's elastomeric seating material with stellite. FDW-96A

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passed its leak test during the subsequent refueling outage in 1992. The licensee's frequent repair of this valve, although indicative of earlier ineffective corrective action, was not indicative of tolerance of a degraded condition.

Another example, which you cited, was that the plant operated for six months with the "E" and "F" IRM channels inoperable. Although the "E" and "F" IRM channels became inoperable during the April 1992 startup, the remaining four IRMs were operable and met the minimum number required by technical specification. Each of the redundant reactor protection system trains has one more IRM channel than necessary. This allows one bypassed channel per train. Further, when the plant reaches about 40 percent power, the IRMs are withdrawn from the core and no longer provide protective signals. Therefore, it is reasonable for the licensee to wait until the next refueling outage to repair the IRMs and avoid unnecessary personnel exposure. This current status of the IRMs does not present a safety problem, and a reasonable long-term solution is being pursued.

You expressed another concern with two unshared APRM channels bypassed. The licensee operated with two shared, not unshared, APRM channels bypassed. Similar to the IRM channels, VYNPS Technical Specifications allow these channels to be bypassed. The licensee placed these APRM channels in bypass to minimize spurious actuation caused by local power range monitors (LPRMs), which provide an input signal to the APRM channels. These spurious actuations, which do not affect the APRM operability, occurred after the licensee began upgrading the LPRMs and have also been observed at other plants with similar upgrades. The licensee implemented a vendor-developed solution to these spurious actions, and currently has the two channels still in bypass, while they monitor their effectiveness. The licensee's bypass of APRM channels does not present a safety problem, and a reasonable long-term solution is being pursued.

Regarding your concern about NRC oversight, the NRC has sufficient resources to address safety issues at nuclear power plants. Problems with licensee performance are identified and addressed through our inspection program and our periodic assessments of plant performance. NRC inspections, primarily performance-based, frequently focus on the licensee's effectiveness in identifying deficiencies, determining underlying problems, analyzing root causes, and correcting deficiencies. Basic inspection activities, "core" inspections, confirm with reasonable assurance that the health and safety of the public are maintained. Additionally, discretionary inspection activities, "initiative" inspections, primarily focus upon suspect programmatic weaknesses.

NRC managers and inspectors, periodically and collectively, conduct assessments of plant performance through the Systematic Assessment of Licensee Performance (SALP) process, and plant performance reviews. During the SALP process, the NRC reviews licensee activities, Licensee Event Reports and inspection findings to ascertain the licensee's performance and to detect underlying problems or trends. In the recent SALP, we noted a decline in performance in three areas; however, overall performance at VYNPS was good. More frequently, plant performance reviews and briefings are conducted by NRC management, as well as inspectors.

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As a regulatory agency, the NRC's oversight of plants and imposition of requirements must not be arbitrary. To operate in this manner would be detrimental to our objective of public health and safety, in part, because it may divert the focus from safety significant issues to those which are not. Consequently, the NRC's revisions of requirements and use of enforcement discretion enhance our effectiveness in assuring public health and safety, without diverting resources toward activities that provide minimal or no safety benefit.

The NRC has carefully considered all of the events that you have cited in your letter. None of the events or problems cited in your letter, which span essentially the last four years, are new to the NRC. Moreover, none of the information presented in your letter, either individually or collectively, would cause the NRC to alter the assessments reached in our previous SALP reports. With the absence of any new information or insights into plant performance, a public investigation, such as the one that you suggested, would not be warranted.

I thank you for your interest, and trust that your main concerns were addressed. If you have additional questions regarding events or NRC inspections at VYNPS, you may wish to contact Mr. Gene Kelly of my staff at 215-337-5183.

Sincerely,

ORIGINAL SIGNED BY
WILLIAM F. KANE

Thomas T. Martin
Regional Administrator

cc:

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