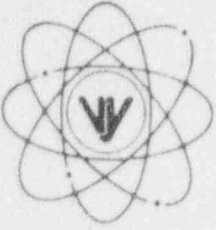


VERMONT YANKEE NUCLEAR POWER CORPORATION



Ferry Road, Brattleboro, VT 05301-7002

REPLY TO
ENGINEERING OFFICE

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BOLTON, MA 01740
(508) 779-6711

December 10, 1996
BVY 96-155

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

References: (a) License No. DPR-28 (Docket No. 50-271)
(b) NRC Generic Letter 86-10, "Implementation of Fire Protection Requirements", dated 4/24/86
(c) NRC Generic Letter 88-12, "Removal of Fire Protection Requirements from the Technical Specifications", dated 8/2/88

Subject: Proposed Change No. 189 - Relocation of Fire Protection Requirements from Technical Specifications

Pursuant to Section 50.90 of the Commission's Rules and Regulations, Vermont Yankee Nuclear Power Corporation hereby proposes the following change to Appendix A of the Facility Operating License [Reference (a)].

Proposed Change:

This proposed change revises the Facility Operating License (FOL) and Technical Specifications (TS) to relocate fire protection requirements to the Vermont Yankee Fire Protection Plan and FSAR in accordance with References (b) and (c).

Specifically, the changes proposed are as follows:

- (1) Facility Operating License page 7, replace paragraph 3.F with the following:

"Vermont Yankee shall implement and maintain in effect all provisions of the approved Fire Protection Program as described in the Final Safety Analysis Report for the facility and as approved in the SER dated January 13, 1978, and supplemental SERs, subject to the following provision:

Vermont Yankee may make changes to the approved Fire Protection Program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire."

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- (2) TS Table of Contents page (v), substitute the word 'DELETED' in section 3.13.
- (3) TS Definitions, page 4, replace definition 'AA', Vital Fire Water Suppression System with the word 'DELETED'.
- (4) TS Section 3.10, page 216, delete fire watch requirement.
- (5) TS Sections 3.13/4.13, Fire Protection, pages 240 through 252, replace each page with a new page with the words 'This page has been deleted'.
- (6) TS Section 6, Administrative Controls:
 - Page 256, delete paragraph 6.1.E and the note at bottom of page.
 - Page 259, add new paragraph 6.2.A.6.h, which says " Review of the Fire Protection program and implementing procedures".
 - Page 262, modify paragraph 6.5.A.7 such that only the words "Fire protection program implementation" remain.
 - Page 275, delete paragraph 6.7.C.2.f.

Reason/Basis for Change:

The purpose for these proposed changes is to move fire protection requirements from the Vermont Yankee Technical Specifications to the Fire Protection Plan and the FSAR, in accordance with the guidance in NRC Generic Letters 86-10 and 88-12.

Nuclear Regulatory Commission (NRC) Generic Letter 86-10 (Reference (b)) Section F, "Addition of Fire Protection Program into UFSAR", describes several problems for licensees and NRC inspectors in identifying the operative and enforceable fire protection requirements at each licensed facility. The NRC has concluded that the best way to resolve these problems, is to incorporate the fire protection program and major commitments, including fire hazards analysis, by reference into the Final Safety Analysis Report (FSAR) for the facility. In so doing, the plant features associated with the fire protection program would be on a consistent status with other plant features described in the FSAR. In addition, the provisions of 10CFR50.59 will apply for changes made in the Fire Protection Plan to assure that any changes would not involve an unreviewed safety question.

Generic Letter 88-12 (Reference (c)) provided further guidance for the preparation of a license amendment to implement Generic Letter 86-10. Generic Letter 88-12 suggests that the amendment remove the fire protection requirements from Technical Specifications in four major areas: fire detection systems, fire suppression systems, fire barriers and fire brigade staffing requirements. It also states that fire protection audit administrative controls be retained in the Technical Specifications and that specific review requirements be added in the Plant Operations Review Committee (PORC) responsibilities.

Safety Considerations:

There are no safety implications associated with these proposed changes because:

- (a) No fire protection requirements have been deleted, just relocated
- (b) The effectiveness of the program will be assured by the revised License Condition which is the standard license condition provided in Generic Letter 86-10
- (c) PORC review of the Fire Protection Program, implementing procedures and proposed changes, assure no loss of effectiveness
- (d) The provisions of 10 CFR 50.59 apply to changes made in the Fire Protection Program to assure that any changes do not involve an unreviewed safety question

This proposed amendment relocates fire protection requirements from Technical Specifications to the VY Fire Protection Plan and to the FSAR. Operating limitations will continue to be imposed and required surveillances will continue to be performed in accordance with written procedures and instructions auditable by the NRC. Although future changes to the fire protection program elements will no longer be controlled by 10 CFR 50.36, "Technical Specifications", proposed changes will be evaluated in accordance with the new License Condition, 10 CFR 50.59 and plant procedures.

These changes are consistent with the guidance provided in Generic Letters 86-10 and 88-12 and will not reduce the effectiveness of the Fire Protection Program. Since no changes have been made to the technical content, the relocation is primarily administrative in nature.

This proposed change has been reviewed by the Vermont Yankee Plant Operations Review Committee and the Nuclear Safety Audit and Review Committee.

Significant Hazards Considerations:

The standards used to determine that a request for amendment involves no significant hazards are included in 10CFR50.92 of the Commission's rules and regulations. These standards state that operation of the facility in accordance with the proposed amendment will not: (1) involve a significant increase in the probability or consequences of an accident previously evaluated, (2) create the possibility of a new or different kind of accident from any accident previously evaluated, or (3) involve a significant reduction in a margin of safety. The discussion below addresses each of these criteria and demonstrates that the proposed amendment does not constitute a significant hazard.

1. The proposed amendment will not involve a significant increase in the probability or consequences of an accident previously evaluated:

The proposed changes are administrative in nature and are consistent with the guidance provided in NRC Generic Letters 86-10 and 88-12. These changes do not affect the initial conditions or precursors assumed in the FSAR safety analyses. These proposed changes also do not decrease the effectiveness of equipment relied upon to mitigate the previously evaluated accidents. Programmatic controls will continue to assure that fire protection program changes do not reduce the effectiveness of the program to achieve and maintain safe shutdown in the event of a fire.

2. The proposed amendment will not create the possibility of a new or different kind of accident from an accident previously evaluated:

The proposed changes do not modify any plant equipment, there is no reduction in fire protection requirements, there is no change in operating procedure and surveillance requirements and no reduction in administrative control or equipment reliability. Therefore, implementation of the proposed change will not affect the design function or configuration of any component, introduce any new operating scenarios, failure modes or accident initiators.

3. The proposed amendment will not involve a significant reduction in a margin of safety:

The proposed amendment does not involve a reduction to the Fire Protection Program. The fire protection requirements are simply being relocated to other controlled documents. There are no equipment modifications being proposed, only the location of fire protection requirements, which is administrative in nature.

Based on the above discussion, we have determined that this proposed license amendment does not constitute a significant hazard as defined in 10CFR50.92.

Environmental Impact Consideration:

Vermont Yankee has reviewed this request against the criteria of 10 CFR 51.22 for categorical exclusion from environmental impact considerations. The proposed changes do not involve a significant hazards consideration or significantly increase the amounts or change the types of effluents that may be released offsite, nor do they significantly increase individual or cumulative occupational radiation exposure. Based on the foregoing, Vermont Yankee concludes that the proposed change meets the criteria given in 10 CFR 51.22(c)(9) for categorical exclusion from the requirement for an Environmental Impact Statement.

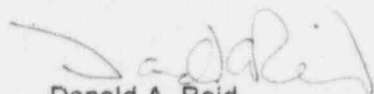
Schedule of Change:

The proposed change will be incorporated into the Vermont Yankee Technical Specifications as soon as practicable following receipt of your approval.

We trust that the information provided adequately supports our request, however, should you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,

VERMONT YANKEE NUCLEAR POWER CORPORATION


Donald A. Reid
Vice President, Operations

Enclosure A: Affected Technical Specification pages
Enclosure B: New Technical Specification pages

cc: USNRC Region 1 Administrator
USNRC Resident Inspector - VYNPS
USNRC Project Manager - VYNPS

STATE OF VERMONT

WINDHAM COUNTY

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Then personally appeared before me, Donald A. Reid, who, being duly sworn, did state that he is Vice President, Operations, of Vermont Yankee Nuclear Power Corporation, that he is duly authorized to execute and file the foregoing document in the name and on the behalf of Vermont Yankee Nuclear Power Corporation, and that the statements therein are true to the best of his knowledge and belief.



Sally A. Sandstrum

Sally A. Sandstrum, Notary Public

My Commission expires February 10, 1999