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UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

AUG 18 2011

Mr. Uldis Vanags
Vermont Department of Public Service
112 State Street
Montpelier, VT 05620-2601

RI-2011-A-0030

Subject: Concerns You Raised to the NRC Regarding Vermont Yankee

Dear Mr. Vanags:

The NRC Region I Office has completed its follow up in response to the concerns that you brought to our attention on March 23, 2011, regarding Vermont Yankee. You were concerned about microbiologically-induced corrosion (MIC) and weld repairs. Our previous letter to you dated April 21, 2011, provided our assessment and conclusion regarding your MIC concern. Enclosure 1 to this letter restates your remaining concern and describes our assessment and conclusion regarding that concern.

Thank you for informing us of your concerns. We believe that our actions have been responsive. Allegations are an important source of information in support of the NRC's safety mission, and as such, we will continue to take our safety responsibility to the public seriously within the bounds of our lawful authority. Should you have any additional questions or if the NRC can be of further assistance in this matter, please call me toll-free via the NRC Safety Hotline at 1-800-695-7403 or contact me in writing at P.O. Box 80377, Valley Forge, PA 19484.

Sincerely,

Richard J. Urban
Senior Allegation Coordinator

Enclosure: As Stated

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

2011 AUG 24 A 9 18
STATE OF VERMONT
DEPT OF PUBLIC SERVICE
MONTPELIER, VT
05620-2601

Concern 2:

It was asserted that repeated weld repairs were made over a five-year period to the TBCCW heat exchanger (HX) heads, but that personnel responsible were not "ASME R Stamp" qualified to do the repairs.

Response to Concern 2:Introduction

As part of our response to your concern, we requested the licensee to perform an evaluation of your concern and provide a written response to the NRC. Our request noted that our review of their response would consider the following factors in determining the adequacy of their evaluation of the concern: (a) the evaluator conducting the investigation was independent of the organization with responsibility for the related functional area; (b) the evaluator had sufficient knowledge and experience to conduct a review in the related functional area; and (c) the evaluation was of sufficient depth and scope. Our request noted that their response should describe how each of these attributes was satisfied, and if individuals were interviewed as part of the review, the response should include the basis for determining that the number and cross section of individuals interviewed was appropriate to obtain the information necessary to fully evaluate the concern, and the interview questions used. Our request also informed the licensee that if they determine that a concern was substantiated, their response should discuss consideration of appropriate root causes and generic implications regarding the substantiated concern, and the appropriateness of corrective actions taken or planned. Additionally, if their evaluation identified any compliance issues with regard to NRC regulatory requirements or NRC commitments, we requested the licensee to provide the requirement or commitment that was violated, the corrective actions taken or planned, and the corrective action documentation that addressed the issue. Lastly, our request noted that if their evaluation included a sample review of related documentation and/or potentially affected structures, systems, and components, their response should include the basis for determining that the selected sample size was appropriately representative and adequate to obtain the information necessary to evaluate the concern.

The licensee's response stated that an investigator independent of the site was used to conduct this investigation. He is a supervisory engineer with 28 years of experience, and is qualified under the Entergy ESP program and has experience in Inservice Inspection (ISI), ASME Section XI and ASME codes in general. He is Apparent Cause Evaluation (ACE) certified and has taken Root Cause Training. He has held positions as an ISI engineer, Supervisory Engineer of Code Programs and Manager of Engineering Programs. The investigation included a review of relevant procedures, Federal and State requirements, condition reports related to welding requirements for TBCCW repairs from 2005-2011, and interviews with key personnel.

The NRC staff reviewed the licensee's response and determined that the investigator was proficient in conducting this type of investigation and was independent of the organization with responsibility for the related functional area. We found that the number and cross-section of individuals interviewed and the scope of the interviews were appropriate to obtain the information necessary to evaluate the subject concern. In addition, we determined that the investigator's basis for the information reviewed was reasonable and appropriate. Based on

these determinations, the NRC staff concluded that the investigation conducted by the licensee was appropriate to obtain the information necessary to evaluate the subject concern, and that the licensee's response was reasonable with supported conclusions.

Licensee Evaluation

In February of 2005, Entergy identified and documented an event in the corrective action program concerning a Section VIII weld repair that was made to the TBCCW HXs without an 'R' Stamp. The condition report that was written at the time (CR-VTY-2005-00590) contained corrective actions, as well as an Apparent Cause Evaluation (ACE); based on the ACE, additional corrective actions were taken.

The investigator reviewed the condition report, ACE and corrective actions. The investigator noted that the ACE concluded that plant safety, personnel safety, equipment reliability and operability were not adversely affected. Although the weld repairs were performed without an 'R' Stamp, the repairs were performed by Vermont Yankee (VY) Maintenance Department welders in accordance with the licensee's approved Quality Assurance Program and Welding Program. The investigator also noted that the ACE included an evaluation by outside counsel, whose interpretation was that the 'R' Stamp requirement should apply to VY. Prior to the initiation of this condition report, the site was under the belief that the 'R' Stamp requirement was a State requirement and did not apply to VY because VY was under "Federal Control." The investigator noted that at the time, Entergy contacted the State of Vermont Chief Boiler Inspector to report the incident. It was reported that the Chief Boiler Inspector stated that the way VY had conducted business prior to this event was acceptable. Based on the investigator's review of the condition report, ACE and the corrective actions, the investigator concluded that the licensee's evaluation and corrective actions regarding this matter were thorough and satisfactory.

NRC Assessment

NRC inspectors in the Region I Division of Reactor Projects (DRP) and Division of Reactor Safety (DRS) performed an independent review of the licensee's response, including an independent review of applicable welding procedures, the ACE, condition reports, and work orders. The inspectors concluded that in 2005, a weld repair was performed on a TBCCW HX without an 'R' Stamp as required by the State. However, this was not contrary to NRC regulations. In addition, since the 2005 incident, the inspectors noted that there were no other occurrences in which condition reports were initiated based on welding performed inappropriately on 'R' Stamp required pressure boundary weld repairs. Currently, the licensee's welding procedures require all welders to be qualified under ASME Section IX, which enables the licensee's program to meet NRC regulations.

NRC Conclusion

Based on the above, we partially substantiated your concern in that one weld repair was performed to a TBCCW HX in 2005 without an 'R' Stamp. However, this did not result in any violations of NRC requirements.