

November 18, 2004

The Honorable Christopher Shays
United States House of Representatives
Washington, DC 20515

Dear Congressman Shays:

I am responding on behalf of the U.S. Nuclear Regulatory Commission (NRC) to your letter dated October 14, 2004, in which you indicated that you were writing on behalf of Ms. Phyllis Mazik, who expressed a concern regarding two spent fuel rod segments that were reported missing from the Vermont Yankee Nuclear Power Station (Vermont Yankee) in April 2004. You indicated that you are interested in knowing whether the NRC investigated this incident and what the findings were.

I can assure you that the NRC is very concerned with instances in which nuclear material is not rigorously controlled. The NRC initiated a special inspection in April, immediately after Entergy (the licensee) notified the NRC that two spent fuel rod segments were not in the spent fuel pool in the location specified in documents. NRC specialist inspectors spent approximately one week per month on site between May and July, followed by a team of inspectors in August. The inspectors observed and reviewed the licensee's investigation and root cause analysis, and conducted independent reviews and interviews with licensee personnel. As noted in your letter, Entergy notified the NRC on July 13, 2004, that the spent fuel rod segments had been located in the spent fuel pool. The missing pieces had been stored in a different location in the spent fuel pool in a container which was previously thought to be part of an existing in-pool structure. Even after Entergy declared that it had located the fuel segments in the spent fuel pool, the NRC continued to investigate the root cause of this incident and Entergy's planned corrective actions to prevent recurrence.

The NRC staff expects to issue a report documenting the results of this special inspection within the next few weeks. Additional information on the spent fuel segments and the inspection report, when it is issued, can be found on the NRC's website at www.nrc.gov/reactors/plant-specific-items/vermont-yankee-issues.html.

Sincerely,

/RA/

Luis A. Reyes
Executive Director
for Operations

November 18, 2004

The Honorable Christopher Shays
United States House of Representatives
Washington, DC 20515

Dear Congressman Shays:

I am responding on behalf of the U.S. Nuclear Regulatory Commission (NRC) to your letter dated October 14, 2004, in which you indicated that you were writing on behalf of Ms. Phyllis Mazik, who expressed a concern regarding two spent fuel rod segments that were reported missing from the Vermont Yankee Nuclear Power Station (Vermont Yankee) in April 2004. You indicated that you are interested in knowing whether the NRC investigated this incident and what the findings were.

I can assure you that the NRC is very concerned with instances in which nuclear material is not rigorously controlled. The NRC initiated a special inspection in April, immediately after Entergy (the licensee) notified the NRC that two spent fuel rod segments were not in the spent fuel pool in the location specified in documents. NRC specialist inspectors spent approximately one week per month on site between May and July, followed by a team of inspectors in August. The inspectors observed and reviewed the licensee's investigation and root cause analysis, and conducted independent reviews and interviews with licensee personnel. As noted in your letter, Entergy notified the NRC on July 13, 2004, that the spent fuel rod segments had been located in the spent fuel pool. The missing pieces had been stored in a different location in the spent fuel pool in a container which was previously thought to be part of an existing in-pool structure. Even after Entergy declared that it had located the fuel segments in the spent fuel pool, the NRC continued to investigate the root cause of this incident and Entergy's planned corrective actions to prevent recurrence.

The NRC staff expects to issue a report documenting the results of this special inspection within the next few weeks. Additional information on the spent fuel segments and the inspection report, when it is issued, can be found on the NRC's website at www.nrc.gov/reactors/plant-specific-items/vermont-yankee-issues.html.

Sincerely,

/RA/

Luis A. Reyes
Executive Director
for Operations

DISTRIBUTION: G20040724/LTR-04-0663

PUBLIC SBurns/KCyr, OGC
SECY EMerschhoff, DEDR
SCollins, RGN I MVirgilio, DEDMRS
EDO r/f DOC r/f

LReyes, EDO
DRathbun, OCA
PNorry, DEDM

TJKim, OEDO/STCA
WKane, DEDH
WDean, OEDO/AO

Package No.: **ML043200151**

Incoming No.: **ML042990368**

Response No.: **ML043200124**

Document Name: A:\G20040724VYResponse.wpd

* concurrence via e-mail

OFFICE	OEDO:STCA	NRR:PDI	RI:RA	EDO	OCA
NAME	TJKim	CHolden	SCollins*	LReyes	DRathbun
DATE	11/15 /04	11/ 15 /04	11/ 15 /04	11/18/04	11/17/04

OFFICIAL RECORD COPY