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Vermont Yankee News Clips, July 30, 2004

Two engineers file NRC petition  
 Associated Press

Keene Sentinel, July 29, 2004  
 Region Section, Page 3  
 Located at the top of the page

VERNON, Vt. - Two nuclear industry engineers are challenging federal regulators' oversight of the Vermont Yankee nuclear power plant.

Paul Blanch of West Hartford, Conn., and Arnold Gundersen of Burlington have filed a citizen's petition with the Nuclear Regulatory Commission, claiming it is unclear what standards Yankee is being held to.

Vermont Yankee is seeking NRC approval for a proposed 20 percent power boost at the plant. A three-week engineering inspection is scheduled to start on Aug. 9 as part of the review process for the proposed increase.

According to Blanch and Gundersen, it is not clear how Vermont Yankee's design bases conform with current NRC regulations and without such knowledge, they claim, the upcoming engineering inspection will be meaningless.

"There's no way they can inspect a plant unless they have criteria by which to inspect it," said Blanch.

Nuclear industry regulations have changed over the past 35 years, and Blanch and Gundersen said it is unclear which standards are being applied.

NRC has 180 days to respond to the six-page complaint.

C-45

Blanch is an electrical engineer who has acted as a consultant for Entergy Nuclear, the owner of Vermont Yankee, at its Indian Point nuclear power plant in New York. Gundersen is a nuclear engineer who worked as a subcontractor at Vermont Yankee about 12 years ago.

Both men have testified on behalf of the nuclear watchdog group New England Coalition in its fight against Entergy's plans to increase power production at Vermont Yankee.

They insist they are pro-nuclear and think Yankee should remain in operation - but not boost power.

NRC spokesman Neil Sheehan said the commission had just received the petition and needed time to review it.

Robert Williams, a spokesman for Entergy, said there was nothing new in the petition. He noted that Vermont Yankee had spent \$20 million several years ago, before it was purchased by Entergy Nuclear, to review its documents to make sure the plant complied with its design.

There are other citizen petitions pending against Vermont Yankee, Sheehan said.

In the past 12 months, roughly, NRC received about 12 petitions and only accepted four for investigation, he said.

State will seek NRC hearing  
By Carolyn Lorie, Reformer Staff

Brattleboro Reformer, July 30, 2004  
Front Page  
Located at the top of the page

VERNON — Department of Public Service Commissioner David O'Brien said the state will move ahead with plans to request a hearing before the Nuclear Regulatory Commission in the Vermont Yankee uprate case.

That announcement was made on Thursday at a meeting of the Vermont Nuclear State Advisory Panel, of which O'Brien is the chairman, held at the Vernon Elementary School.

Although earlier in the week and even during the meeting, O'Brien stated that no final decision had been made, after the meeting, he confirmed that the department would in fact be filing a petition.

"We don't have a lot of choices with the NRC to get answers," said O'Brien.

The answers the state wants have specifically to do with containment overpressure. In a December 2003 letter from the department to the NRC, state nuclear engineer Bill Sherman asked the NRC how safety would be insured if Vermont Yankee were allowed take credit for pressure in the containment tank, in the event of an accident.

O'Brien and Sherman both said they were not pleased with the NRC response, which came in a letter on June 29.

"I'm disappointed as a public official that this answer was what we got," O'Brien told the panel. "It's not a very straightforward letter. It seems to be kind of evasive."

The panel voted to recommend that the state move forward with a petition.

Thursday's meeting also included a presentation by the New England Coalition.

Technical adviser Raymond Shadis warned the panel that NRC standards for getting a hearing are stringent and that even the state may fail to meet them. He also said that with only a month left, there may not be sufficient time for the department to make its case.

"Vermont might just be coming with too little, too late to get a hearing," said Shadis. "My advice is to get cracking."

According to Sherman, the department plans to request that the NRC extend the Aug. 31 deadline.

Also speaking with the coalition was Paul Blanch, who spoke to the panel about a petition that he and Arnold Gundersen filed with the NRC.

According to the two industry whistleblowers, the NRC does not have clear criteria on which to base their upcoming engineering inspection. In their petition, Blanch and Gundersen have requested that Entergy provide the regulator with "clear and unambiguous" information regarding the plant's adherence to design regulations.

Blanch also touched briefly on the containment overpressure issue, calling the plan to allow for it "inherently dangerous."

Engineers from Entergy presented information on current plant status, the outage caused by the transformer fire and the missing fuel.

David McElwee, senior liaison engineer, attempted to open the talk with an explanation of how much money Entergy calculated the state had saved because the power purchase agreement, which was brokered during the sale of the plant.

He was cut off by panel member Sen. Mark MacDonald, D-Orange.

"Is this an editorial or an advertisement?" MacDonald asked Chairman O'Brien.

Panel member Tim Russell also questioned whether McElwee should be allowed to make such claims.

"I'm not sure I believe it," said Russell, referring to a chart showing the amount of savings.

O'Brien prompted McElwee to move to the next item.

The Entergy engineer then explained how problems with the metal laminate on an expansion joint and the failure of a surge protector allowed the June 18 fire to start, consequently causing the plant to shut down. Vermont Yankee was down from June 18 until July 6.

According to McElwee, the fire was not connected to uprate modifications and, therefore, would not trigger the consumer protection plan.

O'Brien said that the department had not yet weighed in on that conclusion.

McElwee also covered the process involved in finding the missing fuel, which included a search of the spent fuel pool, review of records and personnel interviews.

Sherman praised the company's efforts to relocate the missing fuel and then pointed out that a plant in California recently reported missing three pieces of fuel, while also finding nine pieces for which there was no record.

"Vermont Yankee's record-keeping compared to others in the industry is quite good," said Sherman. "My view is that the Vermont Yankee team really needs to be commended for the way they did this work."

Sherman added, however, that it was "disturbing" that plant engineers searched the spent fuel pool -- where the missing fuel turned out to be -- but missed the canister housing it because they were so focused on finding a specific kind of canister.

After the meeting, Shadis accused Sherman of being an Entergy advocate and again voiced concern about the department's plan to seek a hearing before the NRC.

"There would be a benefit if we did not have the department running interference for Entergy," said Shadis.

**VSNAP seeks formal hearing on Yankee safety issue**  
*By Susan Smallheer, Herald Staff*

Rutland Herald, July 30, 2004  
Front Page  
Located in the middle of the page

**VERNON** - The Vermont State Nuclear Advisory Panel added its voice of concern Thursday over what the Douglas administration believes is the biggest safety liability with Vermont Yankee's proposed power boost.

VSNAP voted unanimously Thursday to seek a formal hearing on the issue of the pressure inside the reactor's containment system after the power uprate.

The advisory panel, headed by David O'Brien, commissioner of the Department of Public Service, voted unanimously to pursue the federal hearing process.

"It's very vague, and very evasive," said panel member Razelle Hoffman-Contois of the Health Department.

O'Brien said his department had to wait more than six months to hear the federal agency's interpretation of Entergy Nuclear's proposal for Yankee, and when it finally came a few weeks ago, it was vague and unsatisfactory.

It was the first meeting of the state advisory panel since May, and there have been several developments at Vermont Yankee in those two months. These included the discovery of the missing fuel rods at the plant, a fire that shut down the plant for nearly three weeks, and continuing controversy with Entergy's plan to squeeze another 20 percent of power out of the 32-year-old plant.

The state's nuclear engineer, William Sherman, said Thursday that NRC was much more forthcoming on the issue of cracks in the steam dryer, but on the issue of pressure containment the state is frustrated.

He both praised and criticized Vermont Yankee for its handling of the recent controversy of the missing fuel rods, which were eventually found more than two months later, just where they were supposed to be.

Sherman praised the Entergy investigation that eventually located the fuel rods. But he called attention to Entergy's explanation for why it didn't recognize the \_fuel rod canister for what it was. Entergy said the canister didn't look like fuel rods.

"That mind set - that is disturbing," Sherman said.

David McElwee, an Entergy engineer, briefed the panel on the recovery of the two pieces of fuel rod, as

well as the June fire that damaged the electrical transmission side of the plant.

McElwee said two components failed, setting off the spectacular fire. The components failed because of aging, as well as faulty manufacture.

He said the company believed the problems were not associated with changes the company made in its electrical switchyard earlier in the year in anticipation of the power boost. However, McElwee said that the matter still had to be discussed with its utility customers, who stand to gain monetarily if Entergy is found to be directly at fault.

O'Brien urged the members of VSNAP to follow the department's lead on the hearing, saying that it appeared the NRC was avoiding the key issue of plant safety, and he noted it wasn't for lack of time to prepare its response.

"How does the NRC satisfy themselves it's safe? It's not a very straightforward letter. It's evasive."

Sherman said, "We're not satisfied with the answers in there. The answers were lacking in detail."

Both O'Brien and Sherman have previously said that an independent safety assessment of Vermont Yankee wasn't necessary for the power uprate because federal regulators did such a good job.

Thursday's criticism took a different approach.

Several critics of the power boost met with Gov. James Douglas earlier in the day to outline their concerns.

Raymond Shadis, senior technical advisor for the New England Coalition, an anti-nuclear watchdog group, said that Douglas, while non-committal, asked astute questions about the issues facing Vermont Yankee.

"The governor is paying attention and has been studying the issues," Shadis said. Earlier in the meeting, Shadis warned O'Brien and panel members that seeking an NRC hearing wasn't a simple matter, nor was it automatic that the federal agency would grant the state's request.

Shadis noted that several years ago the attorney general of Massachusetts wanted a similar review on a nuclear issue, and the NRC told that state "to take a hike."

O'Brien said Vermont was well aware that requesting a hearing was not a simple matter, but he said the state was already asking the NRC for an extension of next month's deadline to prepare its case.

After the hearing, panel member Sen. Mark MacDonald, D-Orange, one of the more outspoken critics of Entergy on the panel, said he smelled politics in the air with O'Brien's statements.

"How soon is the election?" he asked.

Nuclear experts press NRC on Vermont Yankee  
The Associated Press

Burlington Free Press, July 30, 2004  
Business Section, Page 6A  
Located at the bottom of the page

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Nuclear plant challenged  
Associated Press

The Republican, July 30, 2004  
New England Section, Page B7  
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