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Vermont Yankee News Clips, August 19, 2004

Vt. Yankee strike looms; CEO cancels plan to visit
 Associated Press

Keene Sentinel, August 18, 2004
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VERNON, Vt. - The top executive of the company that owns the Vermont Yankee nuclear power plant has canceled a visit because of a looming strike at the plant.

Entergy Nuclear CEO J. Wayne Leonard had been scheduled to talk to all Vermont Entergy employees Thursday morning at Vernon Elementary School.

Entergy Nuclear spokesman Brian Cosgrove said the plant is implementing its labor contingency plan today. Plant management employees will shadow 150 union workers today, so they will be prepared to do those jobs Friday if a contract agreement is not reached Thursday.

Leonard's Vermont visit was to be his first since Entergy bought Vermont Yankee in July 2002 from a group of New England utilities. The visit will be rescheduled.

"With the contingency plan in place, it makes it very difficult to have an all-hands meeting," Cosgrove said. "This has been scheduled for quite a while, probably a couple of months. I think everybody was hopeful this would be settled by now."

Cosgrove said the decision to cancel Leonard's appearance was made in Vermont, not by Entergy

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corporate headquarters in New Orleans.

A contract vote is scheduled Thursday for the 150 members of the International Brotherhood of Electrical Workers. The union represents Vermont Yankee electricians, mechanics, radiation protection technicians and control room operators.

Cosgrove said contract talks are continuing and a mediation session was scheduled today.

NRC denies extension for hearing
Carolyn Lorie, Reformer Staff

Brattleboro Reformer, August 19, 2004
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BRATTLEBORO - The Nuclear Regulatory Commission denied the state's request for a hearing deadline extension in the Entergy Nuclear Vermont Yankee "uprate" case.

The company wants to increase power by 20 percent and has an application before the NRC. Parties concerned about the increase can apply to intervene before the commission, which the state decided to do out of concern about containment overpressure.

An extension was sought in order to have information from the engineering inspection currently being done at the plant by the NRC. The inspection will be completed at the end of the month, with a report on it completed some time in the fall.

The NRC gives parties 60 days from when the notice is filed in the Federal Register to file a petition for a hearing. The current deadline is Aug. 31.

In an order issued on Wednesday, the commission wrote that it would not grant an extension "to allow potential participants to review the results of ongoing staff license review-related activities [i.e. the engineering inspection] before filing their hearing requests and accompanying contentions."

The orders adds that parties may submit amended or new contentions based on the inspection findings, so long as they comply with the late-filing standards.

Those standards require that the information must not have been available before, that it is materially different from information previously available and that it is submitted in a timely fashion.

On Aug. 6, Gov. James Douglas wrote a letter to the NRC requesting an extension beyond the completion of the engineering assessment. Vermont's congressional delegation wrote letters in support of the governor's request.

David O'Brien, commissioner of the Department of Public Service, said that while the NRC did not grant the extension, the administration was pleased that any new information from the inspection would be admissible in additional filings.

Sen. James Jeffords, I-Vt., expressed a similar sentiment, adding that he expected the NRC "to stick to that commitment and give any new or revised hearing request serious consideration."

Rep. Bernard Sanders, I-Vt., was more critical of the NRC's decision.

"It is unfortunate that the Nuclear Regulatory Commission refused to grant out very reasonable request to

extend the public hearing deadline on a matter as important as Vermont Yankee's uprate application," said Sanders in a written statement. "This decision clearly does not put the interests of the community first."

According to Neil Sheehan, NRC spokesman for Region I, it is unusual for the commission to grant deadline extensions.

"We have a very clear process for handling these requests. The time period for filing hearing requests is what it is - it's 60 days," he said.

In addition to the state, the New England Coalition, a nuclear watchdog group, plans to file a petition to intervene.

While the coalition plans to intervene on a number of issues, the state will focus on containment over pressure.

Under increased power generation, the water in the torus, a doughnut-shaped water tank below the reactor, will be at a higher temperature.

In the event of a loss-of-coolant accident, the core will require water to be pumped in from the torus. The increase temperature, however, will mean that the water will form steam bubbles at the inlet of the pumps, making the pumps less efficient and potentially damaging them over time. Without the necessary coolant, the core can be exposed, resulting in a release of radiation.

According to plant engineers, the pressure already present in the containment tank will prevent the bubbles from forming. This is known as taking credit for containment over pressure.

On Dec. 8, William Sherman, the state nuclear engineer, wrote a letter to the NRC, voicing his concern on this matter. The federal regulator did not respond until June 29 and the department was not satisfied with the response.

At a July 29 meeting of the Vermont State Nuclear Advisory Panel, O'Brien expressed his frustration with the NRC's letter.

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

On Wednesday O'Brien said the state would file a petition for a hearing with the NRC by Aug. 31.

A message for Mr. Giuliani
Peter Alexander and Raymond Shadis

Brattleboro Reformer, August 19, 2004
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Rutland Herald, August 19, 2004
Opinion Section, Page A9
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The people of Vermont, New Hampshire, and Massachusetts counties and towns in the vicinity of Entergy Nuclear Vermont Yankee power station live in the increasing longer and even darker shadow of the region's only viable terrorist target.

No other industrial operation in the region offers a comparable threat to our precious environment and to the well-being of this and future generations. Our people are in need of accurate information about nuclear accidents probabilities and consequences. They, and their emergency response official need more effective and realist radiological emergency planning, and additional emergency response resources.

Instead, Entergy Corporation, trading on your high public profile following the terrorist attack of Sept. 11, invites our civil servants and elected officials to join you in a public relations gimmick, an invitation only dinner where you can offer up soothing reassurances - post-desert.

What a tragic comedy! Our people need real information so as to protect themselves and their beloved environment and Entergy's answer is to "let them eat cake." Yellowcake, as it were.

Hopefully, given your witness that two plants brought down the enormous World Trade Center Towers, your script will not include assurances that Vermont Yankee structures are terrorist-proof. Surely, Entergy has told you that the reactor's spent fuel pool, suspended 80 feet about the ground, now holds 2,671 waste nuclear fuel assemblies, totally more than 930 tons.

Hopefully, you have by now read the relevant US Nuclear Regulatory Commission reports: NUREG/CR-5042; which makes it clear that the VY Mark I secondary containment does not appear to have significant structures to prevent aircraft penetration and NUREG-1783, which models longer-term fatalities for spent pool accidents in a plant identical to Vermont Yankee.

Any information useful to our region's planner and first-responders that you may have acquired in your brief tenure as Entergy's emergency response expert could better be transmitted in printed or recorded form.

So all kidding aside, you are here to shore up Entergy's credibility collapse by the strength of your celebrity.

In the two years since Entergy purchased Vermont Yankee, area residents have been treated to high-handed patronizing, conflicting statements and deceit sufficient to send public trust plummeting. Area officials may relish their Entergy dinner, but their constituents have lost their appetite for sham.

Mr. Giuliani, you would be well advised to serve small portions, but otherwise enjoy your visit to our beautiful region.

VY inspectors should have oversight
Ellen Tenney

Brattleboro Reformer, August 19, 2004
Opinion Section, Page 4
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Editor of the Reformer:

I would like to welcome the team of inspectors that have come to the area to inspect the safety of the Vermont Yankee Nuclear Power Plant in light of the proposed 20 percent power uprate.

They have told us that they will spend 700 hours inspecting the plant, it sounds like lots of hours but in

reality, it is just over two weeks of work for eight workers.

Why hasn't our governor insisted that an independent inspector be present to see what these workers see? The inspectors are on the payroll of the Nuclear Regulatory Commission and/or Entergy's payroll. Can we really believe they will be objective? We see it all the time; a study will provide the results that the company footing the bill wants to see. We must have an independent inspector present.

I have no doubt that the workers at Vermont Yankee are doing their best to keep the community safe, but accidents happen, even under watchful eyes.

Inspectors: I ask that you think of this community as your own. Inspect this plant as though your children are in the schools near this plant everyday and that your aging mother or father is one of the local homes that provides elder care, that your family lives, shops and works in this area.

Think of yourself as someone that would lose everything you have worked for if this plant has a serious event. Please.

Yankee manager, employees try to avoid strike
Susan Smallheer, Herald Staff

Rutland Herald, August 19, 2004
Front Page
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Both sides in the contract dispute at Vermont Yankee nuclear power plant talked with a mediator late into the night Wednesday in an effort to avoid a strike by union workers today.

The contract for the 148 members of the International Brotherhood of Electrical Workers, Local 300, Unit 8, expires at midnight tonight. Members have scheduled a vote this afternoon on whether to go on strike.

The IBEW workers include technical people who are vital to running the nuclear plant: control room operators as well as electricians, mechanics and radiation-protection specialists.

The biggest problem in the contract talks appears to be a demand by Entergy Nuclear that its workers should a 10 percent share of health insurance costs, up from the current contribution set at 2 percent.

The union says the company is flush with cash, and that such a demand violates promises made by the energy giant two years ago when it bought the Vermont reactor.

"They're still talking, still negotiating, which I think is a good said," Entergy spokesman Brian Cosgrove said late Wednesday afternoon.

He added late Wednesday night that the discussions were will going on, and he remained optimistic.

The two sides have been meeting with Ire Lobel, a private mediator, for several weeks.

The union has said the company has made no change in its offer in four weeks.

David O'Brien, commissioner of the state Department of Public Service, said he was concerned about a potential strike at the plant.

"Certainly we're concerned about that, you don't like to see a dispute between the work force and the employer," he said.

O'Brien spent Wednesday at the plant, meeting with the special NRC engineering inspection team, but he said the issue of the strike never came up.

O'Brien said he was taking some comfort in the fact that the two sides were continue to meet with a mediator.

"Maybe at the 11th hour, we'll get some progress," he said.

Cosgrove said Entergy's lead negotiator in the contract talks, plant manager Kevin Bronson, has been on both sides of contract negotiations; he was once a member of IBEW as a control room operator.

"He's come up through the ranks," Cosgrove said.

Diane Screnci, a spokeswoman for the Nuclear Regulatory Commission, said the commission had approved Entergy's strike contingency plan - to use current Yankee employees to fill in for missing technical workers.

Screnci said strikes at power plants are rare, but not unheard of.

There was a length strike at Oyster Creek nuclear plant in New Jersey last year. That strike also involved IBEW union workers with jobs similar to those at Vermont Yankee.

The strike lasted 11 weeks from May 22 to Aug. 8, 2003. There was a brief, weeklong strike at Vermont Yankee in 1979.

Screnci said the company could only use control room operators specifically licensed to operate Vermont Yankee, not any other nuclear reactor. Control room operators do not receive generic licenses, she said.

Those control room operators have to go through regular testing, certification and re-licensing for a specific plant, Screnci said. While several people at Vermont Yankee hold such licenses, they do not work regularly in the control room.

"They don't always do a shift every day," she said, "but they need to meet those requirements."

NRC nixes hearing delay; state pushes for fed help
Susan Smallheer, Herald Staff

Rutland Herald, August 19, 2004
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The Douglas administration said it will push ahead on seeking a formal federal hearing on Vermont Yankee's controversial power increase despite a setback Wednesday.

Gov. James Douglas and the state's entire congressional delegation asked federal regulators for more time. If additional pertinent information about the condition of the nuclear reactor turned up during the current special engineering inspection, they said, they wanted it included in the hearing.

David O'Brien, commissioner of the Department of Public Service, said the state has anticipated the Nuclear Regulatory Commission ruling, and had been prepared to file for the hearing on Aug. 30, the deadline for such a request.

The NRC, in a three-page order released Wednesday, said it wouldn't extend the deadline beyond Aug. 30, and that if a current special inspection turns up information, there are other ways to include the information.

The review of a proposed power increase must be restricted to information provided by Entergy Nuclear, the NRC stated.

The NRC has never held a hearing on so-called power uprates, which have ranged from minor adjustments in power generation to major retooling such as that proposed at Vermont Yankee.

Vermont Yankee is the oldest, and smallest, nuclear plant to request such a power increase.

Entergy Nuclear wants to produce another 100 megawatts of power from the 32-year old reactor and has already stated the retrofitting needed, gambling that it will get federal approval.

Sen. James Jeffords, I-Vt., the ranking member on the Senate committee that oversees the NRC, said in a statement that he is not happy with the ruling.

"I am disappointed that the NRC did not grant an extension of the hearing deadline," Jeffords said. "However, the NRC has said that if the inspection turns up new information, constituents may file a late request for a hearing or amend an existing hearing request. I expect them to stick to that comment and give any new or revised hearing request serious consideration."

O'Brien said his department remains unconvinced that it has enough information about a key alteration in a backup safety system and would pursue the hearing.

The focus of the state's concern currently is a plan to change the way Entergy Nuclear calculates the pressure in the reactor's containment in the event of an accident - the so-called "containment over-pressure."

Some nuclear critics said the calculation is a departure from "we don't have enough information to decide that," he said.

"We need more information," O'Brien said. "We don't have a comfort level yet."

The state first raised its concerns about the containment pressure calculation in December and received an answer only a month ago. That information still didn't answer its questions, O'Brien said.

NRC spokeswoman Diane Screnci said that if new information does become known after the inspection, the state has the option of using that process later. But Screnci conceded that she doesn't know if such a hearing has ever been granted.

The special engineering team is at the Vernon reactor for its second week. It will work in the NRC's main office next week, and return to Vermont Yankee for the fourth week of its inspection.

O'Brien said he met with members of the inspection team Wednesday in Vernon and said he was impressed with the team members' knowledge and nuclear industry experience.

He said one team member had 37 years of experience and another 20 years, working on a variety of reactors. He said William Sherman, the department's nuclear engineering, was working closely with the special engineering team.

O'Brien said it was unknown which exact system the team was focusing on, in part to keep Entergy Nuclear engineering on their toes.

"But they certainly are paying attention to containment over-pressure," he said.

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