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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

BEFORE THE COMMISSION

90 MAY -4 P4:19

In the Matter of)

Vermont Yankee Nuclear)
Power Corporation)

(Vermont Yankee Nuclear)
Power Station))

OFFICE OF SECRETARY
DOCKETING & SERVICE
Docket No. 50-271-OLA
(Spent Fuel Pool)

NEW ENGLAND COALITION ON NUCLEAR POLLUTION'S
AND MASSACHUSETTS ATTORNEY GENERAL'S
STATEMENT OF WITHDRAWAL FROM VERMONT YANKEE
LICENSE AMENDMENT PROCEEDING

The New England Coalition on Nuclear Pollution and the Attorney General of Massachusetts (hereinafter "Intervenors") hereby withdraw from the proceeding for the amendment of the Vermont Yankee operating license, because the Commission has so constricted the scope of the litigation as to render it meaningless.

In this proceeding, Vermont Yankee proposes to increase the capacity of the VY spent fuel storage pool from 2,000 to 2,870 spent fuel assemblies. The plant was originally designed for storage of 600 spent fuel assemblies. To achieve expanded capacity, VY has already installed high-density closed storage racks.

In 1987, NECNP filed environmental contentions which charged that, given the heightened density of the fuel and the reduced circulation of cooling water in a closed rack system, the risk of a zircaloy cladding fire in the spent fuel pool would be substantially increased during a severe accident at the reactor. Such an accident could have catastrophic consequences for the entire New England area, causing the contamination of 19,000 square miles of land. Moreover, these risks could be entirely avoided by the implementation of dry cask storage on the site. Intervenors therefore called for the preparation of an Environmental Impact Statement, in which

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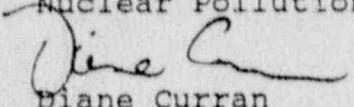
the Commission must evaluate the risks and benefits of spent fuel pool expansion and compare them against the alternative of dry cask storage.

The Commission has now remanded Environmental Contention 1 to the Appeal Board for a determination as to the numerical probability of the hydrogen burn scenario hypothesized by NECNP as one example of an event that could trigger a spent fuel pool accident. The decision clearly demonstrates that the Commission's only goal is to restrict Intervenor's to the narrowest possible interpretation of NECNP's environmental contentions, to establish the low probability of the hydrogen burn scenario, and to dismiss the contentions on the ground that a zircaloy cladding fire is "remote and speculative" and therefore not worthy of consideration under the National Environmental Policy Act. The Commission has no apparent intention of grappling with the significantly increased accident risk posed by the proposed operating license amendment, or to give any serious consideration to alternatives which could protect public health and safety and the environment.

Intervenor's will not be party to such a hollow exercise. Therefore they hereby withdraw from the proceeding.

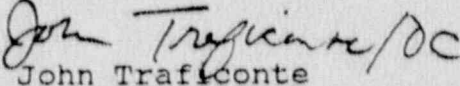
Respectfully submitted,

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CERTIFICATE OF SERVICE

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