

23 July 1975

United States Nuclear
Regulatory Commission
Washington, DC 20555

Good People:

The Alternative Energy Coalition of Massachusetts wishes to call to your attention a violation of the operating license of Vermont Yankee Power Plant located in Vernon, Vermont. We wrote you eight months ago, but recent newspaper accounts inform us that you may never have received the letter.

Our complaint is that the emergency evacuation plan filed by the licensee prior to receipt of their operating license is not maintained in an up to date fashion nor fully tested annually as required by law. This is documented in part in the attached testimony before the Massachusetts Commission on Nuclear Safety, April 23, 1975.

Attempts to hold the utilities accountable at the local level have brought two responses:

- 1) A publicly announced drill which will require four months to plan, the nature of which will be fully communicated to the subject utility, prior to the test, which will not test citizen movement capability. This drill may not conform to plans filed with the Atomic Energy Commission prior to the licensing of this plant.¹
- 2) A public statement from the utility that they have no responsibility outside of their own plant fence.²

We call on you to suspend the operating license of Vermont Yankee under the provision of the Code of Federal Regulations, #10, Section 50.100, for failure to comply with the provisions of Section 50.110, Appendix E, Section IV, Sub. A, B, C, D, E, and I.

Our investigation of this matter has also revealed to us that Yankee Rowe atomic plant in Rowe, Massachusetts may not have any evacuation plan either. We request an investigation of this also.

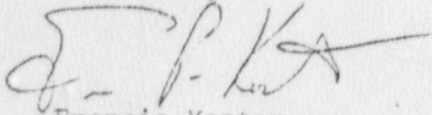
Our legal counsel has informed us that we may not file for an injunction against these plants until we have attempted an administrative remedy to this illegality. We intend to file for such an injunction should your actions fail to bring the licensees in compliance within a short time.

8011060 623

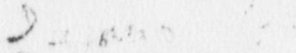
~~5025~~

Public concern on this matter is high in this area, and it is our feeling you may wish to benefit from public input by holding public hearings here (not in Washington, D.C.) on this matter. We look forward to a response from you in the near future.

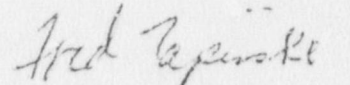
With love,



Francis Koster
Room 200
Hills North
University of Massachusetts
Amherst, MA 01002
(413) 545-3410



Samual Lovejoy
Box 66
Turners Fall, MA 01376
(413) 863-4754



Fred Zapinski
Box 269
Chestnut Hill Road
Montague, MA
(413) 367-9374

¹Greenfield Recorder, Saturday, 19 September 1975.

²Springfield Union (A.P.), Tuesday, 22 September 1975.

ATTACHMENTS (2)

Koster Testimony to Massachusetts Governors' Commission on Nuclear Safety.

Excerpts of the Code of Federal Regulations, #10.

Copies to:

Governor Dukakis - Massachusetts
Governor Salmon - Vermont
Governor Thompson - New Hampshire
New England Coalition on Nuclear Pollution, Inc.
Mr. Purnham - New York Times
Ms. Pale - Brattleboro Reformer
Mr. LeFevn - Rutland Herald
Mr. Oykle - Greenfield Recorder

FK:c2/156

FROM THE CODE OF FEDERAL REGULATIONS

Title 10 - Atomic Energy

50.100 Revocation, suspension, modification of licenses and construction permits for cause.

A license or construction permit may be revoked, suspended, or modified in whole or in part for any material false statement in the application for license...or statement of fact or any report, record, inspection, or other means, which would warrant the Commission to refuse to grant a license on an original application...(b); or for violation of, or failure to observe, any of the terms and provisions of the act, regulations, license, permit, or order of the Commission.

Appendix E - Emergency Plans for Production and Utilization Facilities (required)

IV. Content of Emergency Plans

The emergency plans shall contain, but not necessarily be limited to, the following elements:

A. ... (2) appropriate State, and Federal agencies with responsibilities for coping with emergencies;

B. ... Other persons with special qualifications who are not employees of the licensee and who may be called upon for assistance shall also be identified....

C. ... participation of local and State agencies and the Atomic Energy Commission and other Federal agencies, and criteria for determining when protective measures should be considered within and outside the site boundary to protect health and safety and prevent damage to property;

D. Procedures for notifying, and agreements reached with local, State, and Federal officials and agencies for the early warning of the public and for public evacuation or other protective measures should such warning, evacuation, or other protective measures become necessary or desirable, including identification of the principal officials, by title and agencies;

E. Provisions for maintaining up to date:

(1) The organization for coping with emergencies, (2) the procedures for use in emergencies, and (3) the lists of persons with special qualifications for coping with emergency conditions;

I. Provisions for testing, by periodic drills, of radiation emergency plans to assure that employees of the licensee are familiar with their specific duties, and provisions for participation in the drills by other persons whose assistance may be needed in the event of a radiation emergency;

The Alternative Energy Coalition calls upon the Governor to insist on an immediate shut down of Vermont Yankee, and Yankee Rowe, pending a successful test of the existing emergency evacuation plans which involves the movement of the population.

Federal Law¹ requires nuclear power plants to create, maintain in up to date fashion, and test evacuation plans. These plans would be activated in the area downwind of a nuclear plant accident which releases radioactive gas. Federal, state and local officials are to participate in tests of these plans annually.

Western Massachusetts has two plants to worry about. Vermont Yankee (operated by Northeast Utilities) and the Rowe Plant, (operated by Yankee Atomic). According to published reports² the local safety officials in Rowe are unaware of any evacuation plans. Our investigation of the viability of Vermont Yankee's Evacuation Plans shows they won't work:

1) The nuclear incident teams of the Commonwealth of Massachusetts have never had a drill, according to one of its members, a consultant to the Department of Public Health.

The phone number to be used to alert the NIAT team was unanswered Friday night, 9:30 P.M., August 24.

3) Civil Defense, a central part of the state's response plan, has almost died since the plans were drawn up.

4) The Northern most county in Massachusetts, Franklin county, is 15 miles from Vernon, Vermont. Franklin County has no C.D. Director. He died last year.

5) The Greenfield Director, Mr. Wiles, was unable to locate his Evacuation Plan during a personal visit July 23, 1974. Town clerk could not find one either. Neither knew the procedures.

6) The Hampshire County C.D. Director, Mr. Spoffor, said "have not had a drill since I have been here."

7) It is essential that the Governor realize that the existence on paper of an Evacuation Plan does not guarantee citizen safety. Recent events at Connecticut Millstone (operated by Northeast Utilities) show that the Plans existence means nothing - they must be tested completely and fully.³

8) In the case of Vermont Yankee, any radiation gas leak would flow south at about 8 miles per hour across state lines. Inter-state safety forces communication is not known for its efficiency. The town of Greenfield would have about 1 hour to be completely evacuated, and the university town of Amherst about 3 hours.⁴

We anticipate the utilities to rebut this issue in two ways:

1) They will say they have had drills annually.⁵ We would point out that these minor drills did not test citizen movement capability, and did not test the inter-state communication link.

2) They will say maintenance of adequate communications links between hospitals, fire and police, civil defense, etc. is not their responsibility. We would point out that the state and local governments are remiss. However, the cost of such testing is a true cost of generating electricity in this noxious fashion, and ought to be borne by the utility.

In conclusion, the Alternative Energy Coalition would like to point out that if our energy needs were met through such sources as the sun and wind, none of this nonsense need be dealt with at all.

For further information: Mr. Francis Koster
413-545-3410 (office)
413-367-9374 (home)

FOOTNOTES

- 1 Code of Federal Regulations, Title #10, Section 50.34, pp. 266-271, and 50.110, Section IV., pp. 309-310.
- 2 U.S. News and World Report, March 29, 1971, p. 68, center of page.
- 3 Connecticut Aroused Over Radiation Leaks, p.1, Greenfield Recorder, April 3, 1975. (attached)
- 4 Vermont Yankee FSAR, Section G, Figure G-II.
- 5 The Reformer, (Brattleboro, Vermont), June 13, 1975, P. 5.

AEC DISTRIBUTION FOR PART 50 DOCKET MATERIAL
(TEMPORARY FORM)

CONTROL NO: 802

FILE: INCIDENT REPORT

FROM: Yankee Atomic Elec. Co. Westborough, Mass. 01581 D. E. Wendenburgh		DATE OF DOC 1-20-75	DATE REC'D 1-24-75	LTR X	TWX	RPT	OTHER
TO: DRL		ORIG 3 signed	CC 37	OTHER	SENT AEC PDR XX		
CLASS UNCLASS PROP INFO		INPUT	NO CYS REC'D 40		DOCKET NO: 50-29		
XXXX							

DESCRIPTION: Ltr re our 12-17-74 & 8-8-72 ltrs....
& their 9-8-72 ltrs....furnishing a report
on the failure of any non-category I (seismic)
equipment that could result in flooding or
release of chemicals that could jeopardize
safe shutdown of the facility with attached
Figures 1,2,3 & 4.....

ENCLOSURES:

ACKNOWLEDGED
Do Not Remove

PLANT NAME: Yankee Rowe

FOR ACTION/INFORMATION DHL 1-25-75

BUTLER (S)	SCHWENCER (S)	ZIEMANN (S)	REGAN (E)
W/ Copies	W/ Copies	W/ Copies	W/ Copies
CLARK (S)	STOLZ (S)	DICKER (E)	LEAR (S)
W/ Copies	W/ Copies	W/ Copies	W/ Copies
PARR (S)	VASSALLO (S)	KNIGHTON (E)	SPEIS (S)
W/ Copies	W/ Copies	W/ Copies	W/ Copies
KNIEL (S)	PURPLE (S)	YOUNGBLOOD (E)	
W/ Copies	W/4 Copies	W/ Copies	W/ Copies

INTERNAL DISTRIBUTION

REG FILE	TECH REVIEW	DENION	LIC. ASST.	A/T IND
W/AC PDR	SCHROEDER	GRIMES	DIGGS (S)	BRAITMAN
OGC, ROOM P-506-A	MACCARRY	GAMILL	GEARIN (S)	SALTZMAN
MINUTING/STAFF	KNIGHT	MASTNER	GOULBOURNE (S)	B. HURT
CASE	PAWLICKI	BALLARD	KREUTZER (E)	
GIAMBUSO	THAO	SPANGLER	LEE (S)	PLANS
BOYD	STELLO		MAIGRET (S)	MCDONALD
MOORE (S) (BWR)	HOUSTON	ENVIRO	REED (E)	CHAPMAN
DEYOUNG (S) (PWR)	NOVAK	MULLER	SERVICE (S)	DUBE w/input
SKOVHOLT (S)	CROSS	DICKER	SHEPPARD (S)	E. COUPE
GOLLER (S)	IPPOLITO	KNIGHTON	SLATER (E)	R. Hartfield (2)
P. COLLINS	TEDESCO	YOUNGBLOOD	SMITH (S)	KLECKER
DENISE	LONG	REGAN	TEETS (S)	F. WILLIAMS
REG OPR	LAINAS	PROJECT LDR	WILLIAMS (E)	
FILE & REGION	BENAROYA		WILSON (S)	
T.R. WILSON	STEELE	HARLESS	INGRAM (S)	
	VOLIMER			

EXTERNAL DISTRIBUTION

1-LOCAL PDR	(1) (2) (10) - NATIONAL LABS	1-PDR SAN/LA/NY
1-TIC (ALBEMARLY)	1-M. PENNINGTON, RM E-201 G.T.	1-BROOKHAVEN NAT LAB
1-NSIC (BUCHANAN)	1-CONSULTANTS	1-G. ULRIKSON, ORNL
1-ASLB	NEWMARK/BLUME/ASARIAN	1-AGNE (RUTH GUSMAN)
1-NEWTON ANDERSON		RM B-127 G.T.
5-ACRS SENT TO LIC. ASST.		1-J. RUNKLES, RM E-20
Sheppard 1-25-75		G.T.