

EDO Principal Correspondence Control

FROM: DUE: 05/28/04 EDO CONTROL: G20040284
DOC DT: 03/23/04
FINAL REPLY:

Raymond Shadis
New England Coalition

TO:

Travers, EDO

FOR SIGNATURE OF : ** GRN ** CRC NO: 04-0249

Dyer, NRR

DESC:

2.206 - Degraded Spent Fuel Storage at Vermont
Yankee Nuclear Power Station

ROUTING:

Travers
Norry
Paperiello
Kane
Collins
Dean
Burns
Miller, RI
Cyr, OGC
Skay, NRR
Goldberg, OGC

DATE: 04/23/04

ASSIGNED TO: CONTACT:
NRR Dyer

SPECIAL INSTRUCTIONS OR REMARKS:

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E-RIDS: SECY-01

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: Apr 22, 2004 16:59

PAPER NUMBER: LTR-04-0249 **LOGGING DATE:** 04/22/2004
ACTION OFFICE: EDO

AUTHOR: Mr. Raymond Shadis (New England Coalition)
AFFILIATION:
ADDRESSEE: William Travers
SUBJECT: 2.206 Petition to address degraded spent fuel storage at Vermont Yankee NPP

ACTION: Appropriate
DISTRIBUTION: RF

LETTER DATE: 04/23/2004
ACKNOWLEDGED: No
SPECIAL HANDLING:

NOTES:
FILE LOCATION: ADAMS

DATE DUE: **DATE SIGNED:**

EDO --G20040284

New England Coalition

VT NH ME MA RI CT NY
POST OFFICE BOX 545, BRATTLEBORO, VERMONT 05302

on Nuclear Pollution

By U.S. Mail, FAX, and by e-mail

March 23, 2004

Dr. William Travers
Executive Director for Operations
U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
11555 Rockville Pike
Rockville, MD 20852

**SUBJECT: REQUEST FOR EXPEDITED NRC ACTION UNDER 10 CFR 2.206 TO
ADDRESS DEGRADED SPENT FUEL STORAGE AT VERMONT
YANKEE NUCLEAR POWER STATION**

Dear Dr. Travers,

As you are aware, an NRC resident inspector has discovered that two irradiated nuclear fuel pin segments are missing from an assigned storage canister in the spent fuel pool at Vermont Yankee Nuclear Power Station. The licensee is unable to account for these missing segments and, according to an article published in the Rutland Herald, March 22, 2004, the licensee cannot verify the location of the remaining length (some 10 feet) of fuel pin or its condition.

New England Coalition, a non-profit membership organization incorporated in the State of Vermont, now requests under provisions set forth in the Code of Federal Regulations (10 CFR 2.206) that the U.S. Nuclear Regulatory Commission act immediately to restore licensee control of spent fuel inventory at Vermont Yankee Nuclear Power Station in Vernon, Vermont.

Specifically, New England Coalition requests, for the above stated reasons and on the basis of information set forth below, that **until such time as the licensee has rendered an accurate and NRC verified account of the location, disposition, and condition of all irradiated fuel, including fuel currently loaded in the reactor core, US NRC order a halt to all fuel movement at Vermont Yankee.**

New England Coalition asserts, upon information and belief that the licensee is presently storing substantial quantities of damaged, leaking, and/or broken fuel; that damaged fuel may have been loaded during Refueling Outage 23.

New England Coalition asserts, upon information and belief, gained in part from anonymous whistleblower sources, that significant fuel damage, including burst fuel pins, was evidenced at Vermont Yankee in/or about the 1992 time frame.

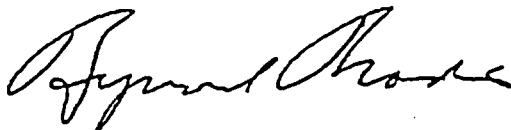
Therefore, if, and when, the license now finds fuel pin segments in some unplanned storage location or on the bottom of the spent fuel pool, it will be impossible to tell with certainty, absent a complete and accurate inventory, if what is found is what is missing from the canister or if it is from any number of other failed or broken fuel pins.

Failure of the licensee to maintain control over stored irradiated fuel increases the risk of: unnecessary contamination, increased decommissioning costs, increased generation of low-level waste, increased radioactive plant effluents, theft or diversion, and unnecessary worker radiation exposure.

Additionally, NRC tolerance of such poor licensee practices, as exhibited by the loss of fuel pin segments, encourages poor, and possibly unsafe, licensee practices in general.

Of primary interest, is that US NRC takes immediate and decisive action. If in your opinion, prompt action cannot be taken through the 10 CFR 2.206 process, then New England Coalition urges that the NRC exercise its statutory discretion to halt further fuel movement and to supervise a thorough irradiated fuel inventory prior to screening New England Coalition's letter for acceptance into the 2.206 process.

New England Coalition now eagerly awaits a response.



Raymond Shadis
Staff Technical Advisor
New England Coalition
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Cc: Chairman Nils J. Diaz, US NRC
US Senator Patrick Leahy
US Senator James Jeffords
US Representative Bernie Sanders
Governor James Douglas

New England Coalition

VT NH ME MA RI CT NY
POST OFFICE BOX 545, BRATTLEBORO, VERMONT 05302

on Nuclear Pollution

March 22, 2004

FOR IMMEDIATE RELEASE

Contact: Raymond Shadis – 207-882-7801
Peter Alexander – 802-257-0336

Environmental group petitions NRC for an immediate halt to nuclear fuel movement activities at Vermont Yankee Nuclear Power Station.
“Missing irradiated fuel should raise red flag,” warns New England Coalition

The Brattleboro (VT)-based New England Coalition sent a formal request to the NRC’s Executive Director for Operations today warning that the search for missing nuclear fuel pin segments at Vermont Yankee may be confused by other broken, misplaced, or scattered fuel at the 33 year-old plant. The New England Coalition asked that the federal regulators move expeditiously to halt all movement of fuel until a comprehensive search, identification, and accounting of all irradiated nuclear fuel takes place. The group asks that NRC certify that all fuel is accounted for and properly stored. fuel movement is permitted.

“There is no difference between the fuel pin segments that are missing and the high level nuclear waste for which the Yucca Mountain National Repository is being prepared,” said Peter Alexander, NEC Executive Director, “This is deadly material which is supposed to be sequestered from the human environment for thousands of years.”

Raymond Shadis, NEC’s Technical Advisor, said that fuel failures; leaking fuel rods, and fragile broken fuel rods would be occurring more frequently under Vermont Yankee’s proposed extended power uprate. Shadis represented the Coalition in opposing the uprate before the Vermont Public Service Board in hearings that concluded January 15. New England Coalition has consistently advocated that an NRC Independent Safety Assessment be performed at Vermont Yankee before any consideration is given to uprate.

The call for an ISA, patterned on an assessment performed at Maine Yankee Atomic Power Station in 1996, was recently endorsed by a resolution of the New Hampshire Senate. A similar resolution passed the Vermont Senate by a unanimous vote.

ATTACHMENT: NEC FORMAL REQUEST TO NRC

END

New England Coalition

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on Nuclear Pollution

Office of the Secretary
U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk

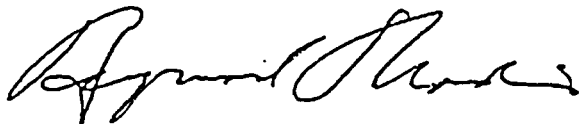
1-301-415-1672

This FAX of Three Pages, including this one, is a 10CFR 2.206 Petition and a letter requesting expedited action. It is intended for:

Dr. William Travers
Executive Director for Operations
with a copy to:
Nils J. Diaz, Chairman

Please distribute accordingly,

Thank You,



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