

May 27, 2004

PETITIONER: Raymond Shadis
Staff Technical Advisor
New England Coalition

FACILITY: Vermont Yankee Nuclear Power Plant

SUBJECT: PETITION FOR VERMONT YANKEE (TAC NO. MC2745)
SUMMARY OF MAY 5, 2004, CONFERENCE CALL WITH RAYMOND
SHADIS OF THE NEW ENGLAND COALITION, REGARDING THE 10 CFR
2.206

On April 23, 2004, a Petition was submitted by the New England Coalition under the provisions of 10 CFR 2.206 regarding the Vermont Yankee Nuclear Power Plant (Vermont Yankee). On May 5, 2004, a teleconference was held between the Nuclear Regulatory Commission (NRC) Petition Review Board (PRB) and representatives of the New England Coalition. This call with the petitioners was to afford them the opportunity to provide additional information or clarification regarding the issues raised in the Petition.

The Petition requested 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, that the NRC order a halt to all fuel movement at Vermont Yankee. As the basis for this request, the petitioner (Raymond Shadis) stated that because Entergy Nuclear Operations, Inc. (Entergy) has lost control of the spent fuel inventory at Vermont Yankee, he had no confidence that Entergy did not put leaking fuel or suspected leaking fuel assemblies back into the reactor core during this refueling outage.

The PRB informed the petitioner that the request to stop all fuel movement at Vermont Yankee was moot as all fuel movement for this outage had been completed by the time of receipt of his request. During this call, he reaffirmed to the PRB the Petition's request to stop all fuel movement, but stated, he understood that at the present time that would limit the request to the spent fuel pool (SFP). He also stated that he wanted an Order issued to the licensee to do a verification of the inventory of all the special nuclear material in the SFP that is to be verified by the NRC. He also noted that he is not averse to moving fuel in the SFP if it is related to the inventory inspection.

Following the conference call, the PRB met in closed session to discuss the merits of the petitioner's request. The PRB determined that the Petition satisfied the criteria for review under 10 CFR 2.206 because the Petition contained a request for enforcement-related actions, the bases for the enforcement-related actions were given, and no other NRC proceedings were available for which the petitioner's concerns could be addressed. The PRB agreed to meet later to discuss if any immediate action was needed in response to the request. The PRB also decided to refer to the NRC Office of the Inspector General those allegations of NRC wrongdoing resulting from the May 5, 2004, teleconference with the petitioner. The goal is to

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issue an acknowledgment letter, including a discussion of the request for immediate action, by May 28, 2004.

Enclosure 1 is the transcript of this conference call. A list of participants is provided as Enclosure 2, including members of the public.

Please direct any inquiries to Alan Wang at 301-415-1445 or ABW@nrc.gov.

/RA/

Alan B. Wang, Project Manager, Section 2
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Enclosures: As stated

cc w/encls: See next page

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MAY 5, 2004

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Enclosure 2

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