

From: "Lyman, Pat" <PLYMA90@entergy.com>
To: "Dower, Mary" <mdower@prod.entergy.com>, "Sandstrum, Sally" <ssandst@prod.entergy.com>
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VY Daily News

Friday, May 21, 2004

If you have news items to contribute contact Pat Lyman - plyma90@entergy.com

Brattleboro Reformer, Friday, May 21, 2004(Front page, on fold)

Jeffords queries NRC on fuel rods

By CAROLYN LORIE
Reformer Staff

BRATTLEBORO -- Sen. Jim Jeffords told Nils Diaz, chairman of the Nuclear Regulatory Commission, that the two segments of highly radioactive fuel missing from Vermont Yankee must be accounted for.

"This is an outrageous and frightening situation for Vermont families," said Jeffords, during Thursday's hearing before the Senate Subcommittee on Clear Air, Climate Change and Nuclear Safety.

In addition to Diaz, NRC commissioners Edward McGaffigan Jr. and Jeffrey S. Merrifield also took part in the hearing.

Pointing out that this was the second incident of missing fuel at a nuclear plant in the United States since 2000, Jeffords said this must not become "the norm" for the nuclear industry.

"It is not enough to tell the public that we 'think' it is likely that highly radioactive material went to storage. We must improve our nuclear materials accounting system, and we must do it now," said Jeffords at the hearing. "I want to know what the NRC is going to do to prevent this from ever happening again at Vermont Yankee or, for that matter, at any other nuclear facility in America."

Peter Alexander, executive director of the anti-nuclear watchdog group the New England Coalition, expressed satisfaction with Jeffords' comments and line of questioning.

"We were pleased that Sen. Jeffords brought up the problems of Vermont Yankee in a national venue and pledged to follow up on the issues of concern about accountability and citizen participation in the safety assessment that the NRC has ordered," he said.

B-29

Among the questions Jeffords asked Diaz concerned whether the uprate review process could include not only independent contractors on the inspection team but an independent observer as well.

Many questions were submitted in writing to the NRC to be answered at a later time.

Coalition expert Paul Blanch also applauded Jeffords' "aggressive questioning," especially questions regarding the inspection team.

"He specifically asked Chairman Diaz how they were going to select those two independent outside contractors," said Blanch.

In 1993, Blanch testified before the same Senate subcommittee on whistleblower issues. An electrical engineer with more than 35 years experience in the nuclear industry, Blanch became a whistleblower in the late 1980s, while working at the Millstone nuclear power station in Connecticut.

Vermont Yankee has been in the national spotlight since April 21 when officials at the Vernon plant announced that two segments of fuel believed to be in a container in the fuel pool were not. The use of robotic cameras has since proven that the pieces are not anywhere in the fuel pool.

The fuel lost at Millstone Unit 1 was never found. The NRC closed that case, stating that the fuel rods had most likely been shipped to a low-level waste site in South Carolina or Washington.

Jeffords said that he was prepared to assist the NRC in anyway possible in locating the missing fuel. He also reminded Diaz, McGaffigan and Merrifield of their primary responsibility.

"There is no greater issue than safety, said Jeffords, in a written statement. "I want the people of Vermont and across the country to be safe and it is the NRC's job to guarantee it."

Carolyn Lorié can be reached at clorie@reformer.com.

Rutland Herald, Friday, May 21, 2004(Front page, below fold)

Jeffords rips NRC on oversight

<https://www.vermonttoday.com/subscribe/>

By SUSAN SMALLHEER Herald Staff

Sen. James Jeffords, I-Vt., told the chairman of the Nuclear Regulatory Commission on Thursday he was disappointed in the federal agency's oversight of Vermont Yankee nuclear power plant.

Speaking at a U.S. Senate hearing on NRC oversight of the nuclear power industry in Washington, D.C., Jeffords said there was "no greater issue than safety." He made it clear that he and his fellow Vermonters were less than confident in NRC's track record.

"This is an outrageous and frightening situation for Vermont families," Jeffords told Diaz. "The commission must commit its resources to ensure that this material is accounted for immediately. I do not want missing fuel to become the norm."

A month ago, an NRC inspector discovered that two pieces of a damaged nuclear fuel rod were missing, and had been for about 24 years. Despite a month of searching through the plant and its computer and paper records, plant owner Entergy Nuclear has been unable to come up with a clue.

Jeffords and other senators, all members of a subcommittee of the Senate Public Works and Environment Committee, had tough questions for NRC Chairman Nils Diaz for his handling of nuclear issues across the

country.

Most notable among these were the Davis-Besse plant in Ohio, which was forced to shut down a year ago because of a hole in the top of its reactor vessel, and emergency planning for the Indian Point nuclear plant outside New York City.

Diaz, a former nuclear engineering professor from the University of Florida, said it was possible that the Vermont Yankee fuel rod "fragments," as he described them, may never be found. But he said that the search remained active.

"It doesn't mean it is closed," he told Jeffords.

"But we're not sure we can really find those pieces," he said, noting that Millstone spent 11/2 years looking for its missing fuel rods.

"It is not enough to tell the public that we 'think' it is likely that highly radioactive material went to storage," Jeffords said.

He was referring to federally licensed waste sites in South Carolina, Washington state and Nevada, which Entergy Nuclear has said were the likely locations of the fuel rod pieces.

Only one other commercial nuclear reactor has lost the dangerous irradiated fuel, the Millstone 1 reactor in Connecticut, which is permanently shut down.

Jeffords also pressed Diaz on the recently announced new engineering review of Vermont Yankee, authorized as part of Entergy Nuclear's request to increase power production by 20 percent.

"This is information Vermonters want," Jeffords said.

He asked Diaz how he was going to guarantee the independence of the review, since NRC had promised at least two independent contractors on the Vermont Yankee review.

Diaz promised Jeffords that people with "absolutely no connection" to Entergy or Vermont Yankee would be on the review team.

The subcommittee chairman, Sen. George Voinovich, R-Ohio, had the harshest words for Diaz and his fellow NRC commissioners.

The Davis-Besse plant in Ohio was the subject of a scathingly critical report this week from the General Accounting Office. The federal watchdog agency had faulted NRC for not doing its job and not addressing problems at nuclear power plants, saying this was illuminated by the problems at Davis-Besse.

"Davis-Besse was our worst hour," said NRC commissioner Jeffrey Merrifield of New Hampshire.

Also testifying before the Senate Subcommittee on Clean Air, Climate Change and Nuclear Safety, was David Lochbaum, a nuclear scientist with the Union of Concerned Scientists, who had also testified before the Vermont Public Service Board about Vermont Yankee's proposed power boost.

It was Lochbaum's spontaneous suggestion to the Vermont board that led to the suggestion of an "independent engineering assessment" of Vermont Yankee before the state approved the power increase.

Lochbaum compared the federal agency to the film "Groundhog Day," where the main character is forced to endlessly relive the same day.

Lochbaum said that NRC suffers from a lack of fresh ideas and insight in its top management, and thus

ends up being defensive over past mistakes and problems.

"The NRC needs new perspectives, new blood. The agency is stuck in a rut," Lochbaum said.

Robert Williams, spokesman for Entergy Nuclear in Vermont, said after the hearing that the company "welcomed" Jeffords' offer of help.

"The search is now focused on a very meticulous records review and interviews of employees," Williams said.

Jeffords had to leave the hearing early because of other congressional duties, but he submitted a total of eight questions about Vermont Yankee to Diaz.

Jeffords' spokeswoman Diane Derby said the senator expected an answer to his questions in a couple of weeks.

Contact Susan Smallheer at susan.smallheer@rutlandherald.com.

Republican Demands More NRC Safety Regulation

By REUTERS

Filed at 2:49 p.m. ET

WASHINGTON (Reuters) - The Republican head of a Senate panel warned U.S. nuclear regulators on Thursday that he would introduce legislation if they fail to shore up oversight gaps that led to severe corrosion at an Ohio nuclear plant.

Congress' investigative arm, the General Accounting Office, earlier this week criticized the Nuclear Regulatory Commission for failing to act quickly after spotting leaking boric acid that nearly chewed through the reactor at the plant owned by Akron, Ohio-based FirstEnergy Corp. .

Ohio Sen. George Voinovich, head of a Senate subcommittee on nuclear safety, asked NRC Chairman Nils Diaz to explain why the agency didn't do more to address safety standards at the 103 U.S. commercial nuclear plants it regulates.

Diaz called the incident at the Davis-Besse plant an "unacceptable failure" by the NRC and FirstEnergy. But imposing specific "safety culture" rules is the responsibility of plant owners, not the NRC, Diaz said.

"We do not believe that's the role of the commission," Diaz said at a hearing of the Senate subcommittee. FirstEnergy "did not meet its own definition of safety culture," Diaz said.

Voinovich rebuked Diaz. "If you won't do it, I'll get legislation passed to get it done," the senator said.

The General Accounting Office study found the NRC "should have, but did not, identify or prevent the corrosion at Davis-Besse because its oversight did not generate accurate information on plant conditions." Other problems could occur because the NRC hasn't done enough to monitor safety, it said.

Leaking boric acid, used as a coolant, ate a cantaloupe-sized hole in the outer hull of the reactor in Oak Harbor, Ohio, about 35 miles east of Toledo.

No radiation was released into the air, but it was a serious safety violation. The NRC ordered the plant shut in early 2002.

FirstEnergy returned the plant to full power last month after it spent \$600 million to repair the damage

Burlington Free Press, Friday, May 21, 2004(Front page, on fold)

Jeffords grills NRC on safety of Vt. Yankee

<http://gcirm.burlingtonfreepress.com/RealMedia/ads/click_nx.ads/news.burlingtonfreepress.com/topnews/newsstory/@Frame1> By Erin Kelly

WASHINGTON -- Two radioactive fuel rods missing from the Vermont Yankee nuclear power plant might never be found, the chairman of the Nuclear Regulatory Commission told senators Thursday.

Chairman Nils J. Diaz said a robotic camera searched a 40-foot-deep pool where the plant stores its spent fuel rods but did not find the missing pieces. Both pieces are pencil-thin, one 7 inches long and the other 17 inches long.

NRC officials said the missing fuel rods, which are considered high-level radioactive waste, may have been put in lead boxes with low-level radioactive waste and shipped long ago to storage facilities in South Carolina or Washington state. If that's the case, the waste poses no public health threat, NRC officials said.

Although NRC officials and the plant's operator don't believe the missing pieces were stolen or could endanger the public, the fact that high-level radioactive waste could be misplaced is raising questions about the plant's safety and complicating Vermont Yankee's plans to expand.

"This is an outrageous and frightening situation for Vermont families," Vermont Sen. James Jeffords told Diaz and two other commissioners at a hearing conducted by a Senate subcommittee on nuclear safety.

"It is not enough to tell the public that we 'think' it is likely that highly radioactive material went to storage," said Jeffords, I-Vt. "We must improve our nuclear materials accounting system and we must do it now."

Federal and plant officials will search shipping records to see if any of them describe the fuel rod pieces, Diaz said. Boxes of low-level radioactive waste will not be opened and searched because it would be too dangerous.

The missing parts are capable of "quickly giving a lethal dose of radiation to an unshielded handler," Jeffords said.

The fuel rods, which once acted as the uranium-filled source of nuclear energy in the plant's reactor, may have been missing for as long as 25 years. Their absence was discovered on April 20 when the plant, at the direction of the NRC, conducted an inventory and couldn't find them.

The misplaced fuel rod pieces became public just as Entergy Nuclear, which owns Vermont Yankee, was asking the NRC to approve its plan to boost power generation by 20 percent. The Vermont-based plant supplies nearly 80 percent of the electricity generated in the state, according to the U.S. Department of Energy.

The NRC must determine whether the proposed expansion would jeopardize Vermont Yankee's ability to operate safely. An expansion would allow Entergy to sell excess power to other New England states.

NRC officials recently agreed to a request by the Vermont Public Service Board for a special inspection of the plant. Diaz assured Jeffords that the engineering inspection will be done by state and federal officials

and two independent contractors with no ties to Vermont Yankee.

Vermont Yankee is the second U.S. power plant to discover missing fuel rods. In December 2000, it was learned that two 13.5-foot-long fuel rods were missing from the Milestone nuclear power plant in Connecticut. It's believed those rods may have been missing for 20 years.

NRC officials believe those rods were probably mixed in with low-level waste and shipped to storage facilities.

"I do not want missing fuel to become the norm," Jeffords said.

www.jeffords.state.gov <<http://www.jeffords.state.gov>> (Press Release) Online

May 20, 2004

Senator Jeffords' Hearing Statement On Oversight of Nuclear Regulatory Commission

Thank you Mr. Chairman, today's hearing continues our ongoing oversight of the Nuclear Regulatory Commission. I believe this is the sixth oversight hearing the Subcommittee has had in the last seven years. Chairman Voinovich, you and Ranking Member Carper deserve credit for continuing the commitment to hold these hearings regularly in order to review the NRC's activities.

Today, I want to discuss both the NRC's handling of extended power uprates and a recent incident involving missing pieces of fuel rods at the Vermont Yankee nuclear power plant in my state. I appreciate that Chairman Diaz and Commissioner Merrifield have been willing to discuss my concerns about the recent events at the Vermont Yankee with me directly. I also want to say to the Chairman and all the Commissioners that I am pleased you are here today.

The mission of the Nuclear Regulatory Commission is one of the most vital missions carried out by the federal government. Regulating the nation's civilian use of nuclear materials, ensuring adequate protection of public health and safety when these materials are used or disposed of, and protecting the environment are all critical. I want to make myself perfectly clear, and I know the Chairman and Ranking Member of this Subcommittee share my view: the top priority for the NRC is safety. There is no greater issue than safety. I want the people of Vermont and across the country to be safe and it is the NRC's job to guarantee it.

As you are well aware, there have been some serious problems at Vermont Yankee since this panel's last oversight hearing. Vermont Yankee, operated by Entergy, discovered that two pieces of radioactive fuel rods were missing from the plant's storage facilities last month. Officials with Entergy Nuclear have said they could not find two rods, one seven inches and another about 17 inches long. Either is capable of quickly giving a lethal dose of radiation to an unshielded handler. The NRC has been involved in Vermont Yankee inspections using a remote-control camera to see if they misplaced the rods among the 2,789 spent fuel rods in the plant's spent fuel pool. The NRC is also working with the utility to review records and see if two missing fuel rods from the plant are in waste facilities in South Carolina or Washington.

Company officials speculate the rods may have been confused with low-level waste and shipped to the out-of-state storage sites. So far, efforts to locate the rods at the Vermont Yankee facility have failed. This is an outrageous and frightening situation for Vermont families. The Commission must commit its resources to ensure that this material is accounted for immediately. I stand ready to assist the NRC in any way necessary to make sure that these materials are found and secured.

But, I note, that this is the second incident of missing nuclear fuel at a Northeast nuclear plant in five years. When the Millstone incident occurred, the NRC said that fuel rods had never before gone missing in the history of commercial nuclear power in the United States. While I know that the materials at Vermont Yankee were found to be missing due in part to the new inspection procedures the NRC instituted after Millstone, the sad fact is that fuel is again missing. I do not want missing fuel to become the norm. It is not enough to tell the public that we "think" it is likely that highly radioactive material went to storage. We must improve our nuclear materials accounting system, and we must do it now.

I want to know what the NRC is going to do to prevent this from ever happening again at Vermont Yankee or, for that matter, at any other nuclear facility in America.

Keeping with my view that safety is "job one" for the NRC, I also want to know what the NRC is doing to ensure that any boost in Vermont Yankee's power will be reviewed in a thorough manner. Entergy has asked the NRC to approve its proposal to boost the power from Vermont Yankee by 20 percent. As you know, the NRC must determine whether or not such an extended power uprate will jeopardize the plant's ability to operate safely. I expect the NRC to explain, design, and conduct a review that will allow Vermonters to have confidence that if an uprate is approved for Vermont Yankee, the plant will be reliable and safe for the long term.

I am pleased that the NRC agreed to Senator Leahy's and my request to hold a public meeting in Vermont in March to explain the uprate review process. Many constituents have told me that this was a helpful meeting, but more needs to be done to inform and assure Vermonters. The review of Vermont Yankee's uprate will be the first time that the NRC will conduct such a review using the new extended power uprate guidelines issued in December 2003.

I am also pleased that the NRC has agreed to conduct a pilot inspection and collect additional information as requested by the Vermont Public Service Board. The purpose of these additional inspections will be to collect data about the plant's operations under the proposed boosted power conditions. This is information Vermonters want. I am pleased that my state will be doing a service to the country as they work with the NRC through the use of new guidelines and the implementation of a new pilot inspection program. The NRC has an opportunity to assure this Subcommittee that they will make these new guidelines and inspections work, that they will implement them in a thorough and transparent way, and that they will strive to address the concerns of the public.

If we are going to be serious about protecting our environment while providing safe, reliable, and affordable electricity for all Americans, we need to increase our use of renewables, improve how we burn fossil fuels, promote energy efficiency, and make sure that nuclear plants operate well and safely.

Again, I thank Chairman Diaz, the rest of the Commissioners, and the other witnesses for coming here to discuss these issues. I look forward to their testimony and to working with my colleagues.

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WCAX/Channel 3 News, Friday, May 21, 2004(Online)

Jeffords Presses NRC Chairman About Missing Fuel Rods

Washington, D.C. - May 20, 2004

In a Senate Subcommittee hearing Thursday, Senator after Senator emphasized the importance of protecting the country's nuclear power plants.

"The people of this country got to know when they go to bed at night that these are fail safe, they have nothing to worry about," said Sen. George Voinovich, R-Ohio.

Senator Jim Jeffords, I-Vermont, reiterated the important role of the regulatory agency.

"The top priority for the NRC is safety. There is no greater issue than safety. I want the people of Vermont and across this country to be safe and it is the NRC's job to guarantee that," said Jeffords.

Senator Jeffords then specifically asked the commission about the status of its search for the two missing fuel rods at Vermont Yankee Nuclear Power Plant in Vernon.

NRC Chairman Nils Diaz says the recent search has not produced either rod.

"The possibility is that this was packaged with other radioactive waste and did not alarm, and therefore, did not show up as a significantly radioactive piece and it ended up, probably, in a low level waste disposal site," Diaz told the subcommittee.

But the chairman of the NRC says the case of the missing rods is not closed and that the commission will continue its investigation.

Vermont Yankee is the second nuclear power plant in the northeast to lose track of spent fuel rods in the past five years.

Minhee Kim <<mailto:news@wcax.com>> - Channel 3 News

NRC WARNED Sen. George Voinovich scolds the government's nuclear watchdog agency.

Friday, May 21, 2004

Tom Diemer

Plain Dealer Bureau

Washington- Sen. George Voinovich scolded the government's nuclear watchdog agency Thursday, telling its leaders they should more closely police safety activities of workers inside nuclear plants, like Ohio's Davis-Besse.

"I want to know if you are dedicated to making sure it doesn't happen again," he said, referring to the pineapple-size hole discovered in the Davis-Besse reactor lid in early 2002.

<http://ads.cleveland.com/RealMedia/ads/click_nx.ads/www.cleveland.com/xml/story/n/nnusa/@StoryAd?

x>

"We are going to talk about safety standards," he lectured the Nuclear Regulatory Commission. "If you won't do it, I'll pass legislation to get it done."

Voinovich got the commissioners' attention at a hearing of his Environment and Public Works subcommittee. But they resisted his demand for a new regulation, imposing a "safety culture" standard on nuclear plants to allow inspectors to measure whether workers and management are putting safety first.

"We're not in the business of managing utilities," said Nils Diaz, chairman of the commission. A rule tracking the interaction of managers and workers on safety issues "could be very, very subjective," added Commissioner Edward McGaffigan.

Voinovich, whose subcommittee has jurisdiction over the NRC, called the hearing in part to examine a highly critical General Accounting Office report which said the nuclear commission should have spotted the corrosion in the Davis-Besse reactor lid before it became a risk to the public.

Diaz said the NRC has reviewed its oversight at Davis-Besse and has implemented 16 recommendations, including an upgrade in training of inspectors. There were 51 recommendations. The commission had two inspectors at Davis-Besse during the more than four years it took for the rust hole to develop. Recent testing by the NRC showed the lid was as close as two months to bursting when the company stumbled on the hole in March 2002.

The GAO said in its report the nuclear regulatory body miscalculated the risk of suspected reactor leaks at Davis-Besse in November of 2001, leaving the plant on line and running. The commission had other long-standing shortcomings in its oversight of America's 103 nuclear plants, the report said.

Diaz conceded the NRC dropped the ball on communication and technical know-how at the FirstEnergy Corp. plant in Oak Harbor, just east of Toledo.

"Clearly, Davis-Besse was our worst hour," said McGaffigan. "One of the major lessons learned - and we should have already learned it - is we have to have excellent people everywhere."

The NRC has ordered Akron-based FirstEnergy to assess the safety culture at Davis-Besse annually for five years and report its findings to the government. But other nuclear plants do not face that requirement.

Voinovich was not satisfied. After the rust hole was disclosed in 2002, he said he got nervous phone calls. "George, what is going on? I thought things were fine," he said he was asked.

"People ought not to go to bed worrying about the safety of our nuclear power plants," he told Diaz.

Diaz said he disagreed with some of the criticism by the GAO, the investigative arm of Congress, because the observations were outdated and had already been addressed. He said the commission has stepped up recruitment efforts as its work force ages.

The chairman of the full committee, James Inhofe of Oklahoma, said that although "recent events have tested the NRC, he was "generally pleased with how the commission has responded."

Rather than harp on the accident-waiting-to-happen at Davis-Besse, Inhofe said he was disappointed the NRC is not more optimistic about the future of nuclear power. Diaz had said he doubted that nuclear energy could increase its 20 percent share of the nation's electricity output over the next 15 years.

But David Lochbaum, a nuclear engineer testifying for the Union of Concerned Scientists, was even gloomier about the future.

"The NRC's regulatory impairments make nuclear power's cost and risk higher than is necessary," Lochbaum testified. "Left unchecked, the only question is whether economics or disaster will bring down the curtain on nuclear power in America."

To reach this Plain Dealer reporter:

tdiemer@plaind.com, 216-999-4212

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