

October 5, 2004

Mr. Michael Kansler
President
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

Dear Mr. Kansler:

On September 10, 2004, the New England Coalition supplemented its April 23, 2004, petition submitted under Title 10 of the *Code of Federal Regulations* Section 2.206 for the Vermont Yankee Nuclear Power Station (Vermont Yankee). The supplement provides additional comments on the validity and rigor of the inventory that was performed by Entergy Nuclear Operations, Inc. (Entergy) including the Nuclear Regulatory Commission's (NRC) verification process. In particular, the supplement stated that there is not sufficient basis for declaring that the misplaced spent fuel rod pieces had been located. While some of the information requested may be redundant to the NRC's special inspection, the Petition Review Board (PRB) has determined this information is necessary for the PRB to make an informed decision. The petition process affords the opportunity for Entergy to provide a response to the petition. To ensure that we have complete information to prepare the proposed Director's Decision, we request that you provide your response to the petition and its supplement, specifically with the following information:

- (1) Describe your actions to confirm that you have located the misplaced pieces. In particular, other than the comparison of the lengths of the pieces, what other evidence do you have that the misplaced pieces were located? For instance, can you verify that the diameters of all the broken pieces are consistent with each other. General Electric makes a distinction between pieces and segments (i.e., segments are precut sections of fuel rods). Have any pieces or segments of fuel rods ever been sent to General Electric at Vallecitos or other facilities and have you ever received any fuel pieces or segments from Vallecitos or other facilities? Can you confirm the sections of fuel rods in the canister were pieces and not segments?
- (2) Describe Entergy's process for the movement and control of fuel rods during your reconstitution efforts. How has Entergy verified that individual fuel rod movements were properly documented and controlled? How have all individual rods removed from an assembly or moved from one assembly to another been accounted for? Describe any other conditions where fuel has been handled as less than complete assemblies (e.g. pieces, segments, pellets, rods, etc.), not addressed in the above questions, and how this fuel was accounted for. How many assemblies have been involved in the reconstitution efforts?
- (3) Provide the root-cause analysis for this event.

M. Kansler

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This response will be made publicly available so you should avoid using proprietary or personal privacy information that requires protection from public disclosure.

We have attached the supplement for your information. Please provide this information within 30 days of the receipt of this letter. If you have any questions, please call Alan Wang of my staff at (301)415-1445.

Sincerely,

/RA/

Alan B. Wang, Petition Manager
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-271

Enclosure: As stated

M. Kansler

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