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Date: 9/21/04 7:49AM
Subject: Re: VY uprate controversy continues to simmer

Hello Arnie et al:

NRC claims it would be premature to comment on things that will be addressed in the petition.

What a load of crap.

Various organizations around the country petitioned the NRC to upgrade protection against aircraft and to do something about Wackenhut as a "defender" of nuclear plants against attack. Before these petitions were resolved, the NRC commented against the merits of the issues raised by the petitioners.

So the NRC hides behind "no comment" when it favors the industry and comes out swinging against petitioners when they see the chance.

The NRC is a rogue agency that needs to be taken out to the wood shed for about two years.

Thanks,
Dave

>>> Arnie Gundersen <arniegundersen@sailchamplain.net> 09/21/04 05:55AM >>>

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> Subject: VY uprate controversy continues to simmer

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> View Brattleboro Reformer

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> VY uprate controversy continues to simmer

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> By CAROLYN LORI

> Reformer Staff

> Tuesday, September 21, 2004 - BRATTLEBORO -- Controversy continues to

> swirl around Entergy Nuclear Vermont Yankee's uprate application.

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> Officials at the 32-year-old plant applied to the Nuclear Regulatory
> Commission last year to increase power generation by 20 percent. This
> is known as an extended power uprate and is the most allowed in the
> industry. Vermont Yankee is the oldest plant to have requested a 20
> percent power boost.

>

> On June 28, nuclear industry experts Paul Blanch and Arnold Gundersen
> wrote a six-page letter to the Vermont congressional delegation and
> the chairman of the Vermont Public Service Board, outlining their
> concerns with the application, as well as with the NRC's review
> process.

>

> "Put in its simplest terms, we are convinced that the proposed uprate
> will make Vermont Yankee significantly less safe than it is today, and
> we are also convinced that the NRC has turned a deaf ear on the
> irrefutable facts that support this powerful statement," wrote Blanch
> and Gundersen.

>

> In their letter, Gundersen and Blanch contend that safety margins at

C-56

- > Vermont Yankee will be greatly reduced if the uprate occurs. The two
- > also charged that the NRC has refused to show how the plant conforms
- > to or deviates from current safety and design basis regulations.
- >
- > The two asked that the delegation and PSB Chairman Michael Dworkin
- > use their authority to demand answers from the NRC.
- >
- > Earlier this month, Sens. Patrick Leahy, D-Vt., and James Jeffords,
- > I-Vt., and Congressman Bernard Sanders, I-Vt., responded to the
- > letter, saying that they had "asked for an official response to [the]
- > letter from the agency that addresses each of the safety concerns that
- > [were] raised."
- >
- > According to Neil Sheehan, NRC spokesman for Region I, the official
- > response came on Sept. 14.
- >
- > Luis Reyes, NRC executive director of operations, wrote to the
- > delegation stating that the issues raised by Blanch and Gundersen had
- > already been raised by petitions to intervene filed by the state and
- > the nuclear power watchdog group, the New England Coalition. The NRC
- > has not responded formally to either party.
- >
- > Sheehan said the letter explained that answers would be provided when
- > the petitions are addressed.
- >
- > "Until then it would be premature to comment on the issues raised,"
- > closed the letter.
- >
- > Upon hearing about the NRC's response, Blanch accused the agency of
- > "leading us around in circles."
- >
- > One of the central safety issues in question has to do with
- > containment overpressure. Under uprated conditions, the water in the
- > containment tank will be warmer which will allow bubbles to form. If a
- > loss of coolant accident were to occur, the bubbles in the water would
- > interfere with the emergency pumps' functioning, possibly destroying
- > them over time. Without the pumps, the water necessary to keep the
- > core cool could not circulate, resulting in a meltdown.
- >
- > According to Vermont Yankee engineers, during the type of loss of
- > coolant accident postulated in the above scenario, there will be
- > sufficient pressure in the tank to prevent the bubbles from forming.
- > This is known as taking credit for overpressure.
- >
- > Although NRC regulatory guides state that credit should be taken only
- > when necessary and minimized to the extent possible, many plants have
- > been allowed to do this in order to increase power generation.
- >
- > Both the coalition and the state have included this issue in their
- > petitions.
- >
- > The state has gone one step further, however, calling on the Advisory
- > Committee on Reactor Safeguards to "specifically review" this point.
- >
- > The ACRS is an 11-member panel that is appointed by the NRC, but
- > operates independently. All uprate applications go before the panel,

- > which makes a recommendation to the NRC. So far all applications for
- > increasing power generation have been approved by the committee.
- >
- > In a letter addressed to Mario Bonaca, chairman of the ACRS, Vermont
- > Department of Public Service commissioner David O'Brien questioned the
- > NRC's decision to grant exceptions to its own regulatory guides.
- >
- > "...The NRC, industry and the Committee [ACRS] were adamant about
- > retaining the defense-in-depth safety margin provided by not linking
- > emergency core and containment cooling functions with containment
- > performance," O'Brien wrote. "And then, with the advent of extended
- > power uprates, it appears the NRC began granting overpressure credit
- > whenever an applicant asked for such credit."
- >
- > The 10-page letter outlines the evolution of granting credit for
- > overpressure and questions whether the ACRS "thoroughly reviewed and
- > recommended this major policy change."
- >
- > State nuclear engineer Bill Sherman first raised questions about the
- > containment overpressure in December, prompting him to write a letter
- > to the NRC about the issue. The federal regulator responded in May but
- > not to the satisfaction of the department.
- >
- > "The department has always vowed to have our safety concerns heard in
- > the correct venue -- the NRC," said O'Brien in a press release.
- > "Requesting the ACRS to review the containment overpressure issue in
- > addition to requesting a hearing on the issue is a second avenue to
- > having our questions resolved. We want to make sure that Vermont
- > Yankee is safe if an uprate of power output is allowed."
- >
- > Another issue raised in the department letter was the fact that the
- > plant could be modified in such a way that taking credit for
- > overpressure would be unnecessary.
- >
- > When asked about the possibility of modifications being made to avoid
- > this problem, Rob Williams, spokesman for Vermont Yankee, refused to
- > answer, saying that he was not in a "position to speculate about
- > that."
- >
- > Williams did state, however, that the uprate application was
- > "grounded in NRC regulations" and that ACRS review is a routine part
- > of the regulatory review process.
- >
- > "The ACRS was set up to give an independent view on safety matters
- > that came before the NRC and we expect they will review this issue as
- > well," said Williams.
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- > Blanch, who has worked in the nuclear industry as an electrical
- > engineer for 35 years, said that the department's appeal to the ACRS
- > marked a first, as far as a state's involvement in nuclear regulatory
- > affairs.
- >
- > "It is extremely significant. I've never seen anything like this," he
- > said.
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- > While he expressed frustration with the NRC, Blanch was optimistic

- > about how the ACRS might respond.
- >
- > Raymond Shadis, technical advisor to the New England Coalition, was
- > less hopeful.
- >
- > "This is good. It can't be bad," he said. "But we should not raise
- > our hope that this is a comprehensive answer."
- >
- > Carolyn Lorié can be reached at clorie@reformer.com.
- >

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Subject: Re: VY uprate controversy continues to simmer
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