

From: Rick Ennis *ME*
To: *RI* Beth Siene; Cliff Anderson; David Pelton; Diane Screnci; Donald Florek; Neil Sheehan
Date: Mon, Mar 15, 2004 9:04 AM
Subject: Fwd: Letter to Entergy

E-9

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Subject: Fwd: Letter to Entergy
Creation Date: Mon, Mar 15, 2004 9:04 AM
From: Rick Ennis

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BEK (Beth Siemel)	Opened	03/16 8:24 AM
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DPS (Diane Screnci)	Opened	03/15 9:31 AM
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From: Cornelius Holden
To: Ennis, Rick; Howe, Allen; Roberts, Darrell
Date: Mon, Mar 15, 2004 8:24 AM
Subject: Fwd: Letter to Entergy

FYI, in case you have not seen these.

Cornie

From: Stuart Richards
To: Cornelius Holden
Date: Mon, Mar 15, 2004 8:12 AM
Subject: Fwd: Letter to Entergy

In case you haven't received this yet.

fyi
Stu

From: "Paul Blanch" <pdblanch@comcast.net>
To: <pdblanch@comcast.net>
Date: Sun, Mar 14, 2004 10:23 PM
Subject: Letter to Entergy

Enclosed is my letter to Mike Kansler about Vermont Yankee issues

Paul M. Blanch

135 Hyde Rd.

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Paul M. Blanch
Energy Consultant

March 14, 2004

Mr. Michael R. Kansler
Sr. Vice President and Chief Operating Officer
Entergy Nuclear Operations, Inc.
Mail Stop 12A
440 Hamilton Ave.
White Plains, NY 10601

Dear Mike:

During the past few years I believe we have had a sound professional relationship and have developed mutual respect for each other's nuclear expertise. Even when we have had differing views on issues, we have always been able to discuss these differences and focus on our mutual goal: nuclear safety.

Last year I was asked by the New England Coalition to assist in the technical review of Vermont Yankee's application for Extended Power Uprate. During my review of the VY documentation, I noted that the proposed uprate assumed that the torus would maintain an elevated pressure in the event of a LOCA and that this pressure would be used to assure the functioning of all Emergency Core Cooling Systems (ECCS).

The NRC's Regulations¹ and supporting guidance prohibits reactors from taking credit for containment overpressure for an extended period of time because depending upon containment pressure causes interdependence of safety barriers that are supposed to remain independent. For example, the failure of the containment barrier may result in the failure of the fuel barrier.

Reviewing the documents supplied under discovery, I could not find any analysis addressing the requirement prohibiting the use of containment pressure to assure the operation of the Emergency Core Cooling Systems. Furthermore, my examination of the

¹ General Design and Single Failure Criteria (10 CFR 50, Appendix A)

"Acceptance criteria for emergency core cooling systems for light-water nuclear power reactors." (10 CFR 50.46)

"Assurance of Sufficient Net Positive Suction Head for Emergency Core Cooling and Containment Heat Removal Pumps" (NRC Generic Letter 97-04)

"An Approach for Using Probabilistic Risk Assessment in Risk-Informed Decisions On Plant-Specific Changes to the Licensing Basis" (Regulatory Guide 1.174)

NRC review requirements contained within RS-001² revealed that the NRC itself may have also missed these most vital NRC requirements.

Prior to making these issues public, I had my findings peer reviewed by both Arnie Gundersen and David Lochbaum, and they both agreed that my concerns were legitimate.

On February 25, 2004 I sent an Email (copy enclosed) to your site VP Jay Thayer requesting a public dialog on this nuclear safety issue. I also invited the NRC and the Vermont State Nuclear Engineer to participate. The NRC declined my invitation and no response was received from either Mr. Thayer or Mr. Sherman.

On March 11, 2004 I was contacted by Vermont reporters informing me that VY was planning a closed press conference on VY's property in "order to dispute Mr. Blanch's claims." Some of the excerpts from these reports follow along with my response.

"James DeVicentis, licensing manager for Vermont Yankee, said that uprates similar to the one being proposed have already been done at other plants, including Dresden and Quad City in Illinois. DeVicentis added that Blanch's knowledge of NRC regulations is outdated."

I believe that my knowledge of today's written NRC regulations is quite complete. I will admit, however, that I may not be fully aware of any unwritten agreements that may exist between the NRC and Entergy.

"Williams added that a "confrontational public debate" was not a useful way to share information"

Mr. Williams' words are inflammatory. Please observe the tone of my invitation to Mr. Thayer and note that I specifically requested a dialog about nuclear safety.

"James DeVincentis, licensing manager for Entergy Nuclear, said that the concerns Blanch raised were old and federal regulators had addressed them long ago." His concerns are 10 years old. They are genuine concerns, but I think they're old," he said."

Nuclear safety concerns do not expire like a driver's license. All nuclear safety concerns must be properly addressed and can't be ignored just because some other plants may have "pulled the wool" over the NRC's eyes.

"Perez, who has worked in the nuclear industry for 22 years, said Blanch was an electrical engineer, not a nuclear engineer"

I have worked in the nuclear industry for more than 35 years. I have identified two major safety issues in the past. Both issues impacted Vermont Yankee were recognized and adopted by both the industry and its regulators. Neither one of these issues was

² "Review Standard for Extended Power Uprates" (RS-001)

“electrical” in nature. Having your employee try to discredit me by alleging that my credentials are not the appropriate qualifications is both unprofessional and insulting. More importantly, Perez’s words send a clear message to all Entergy employees that if they find a nuclear safety issue outside of their particular discipline – even a significant safety issue like this one, Entergy will dismiss the issue and attempt to discredit each employee.

If I was employed by Entergy and had been publicly slandered like this, it would be a clear criminal violation of 10 CFR 50.7, which forbids retaliation against employees raising safety concerns.

The Entergy position appears to be reflective of the same type of technical arrogance that was identified in the Columbia Shuttle Root Cause Report and the Davis-Besse debacle as the root cause of serious incidents that put the public at risk. Refusal to publicly discuss these issues reflects a disregard and disrespect for the people of Vermont who will be those most likely to be affected by Entergy’s proposed uprate.

Mike, I believe that you are an honorable person and also believe that you would never condone malicious mistreatment of this nature against your employees or the safety-conscious public. I expect Entergy to take my concerns seriously, and to communicate with me in a respectful and constructive manner. Since this issue is clearly in the public eye, the next public communication issued by VY should contain the public apology that is owed to me by the VY’s management as well as a retraction of the very erroneous comments made by Perez and DeVincentis at last Thursday’s press conference.


In closing, I again formally request that Entergy, the NRC, and the Vermont State Nuclear Engineer join Arnold Gundersen, David Lochbaum and me in a full, fair, and civil public forum to discuss the critical nuclear safety issues we have raised concerning the proposed Vermont Yankee uprate. Securing a productive and professional atmosphere requires a few simple ground rules:

1. The meeting would be open to all interested parties and would not be held behind locked gates.
2. There will be no personal attacks or “mudslinging.” Participants will only address relevant nuclear safety issues.
3. The meeting should be held in the vicinity of the Vermont Yankee plant.
4. There will be an open dialog moderated by an independent party, such as someone from the School for International Training or another disinterested party who is an experienced public moderator.
5. The meeting should be recorded and transcribed and part of the public record.

March 14, 2004

I look forward to hearing back from you on this matter.

Respectfully,



Paul M. Blanch
135 Hyde Rd.
West Hartford, CT 06117
860-236-0326

cc:
Chairman Diaz
Commissioner McGaffigan
Commissioner Merrifield
Hubert Miller, NRC Region 1 Administrator
William Sherman, State Nuclear Engineer

Paul Blanch

From: Paul Blanch [pdblanch@comcast.net]

Sent: Wednesday, February 25, 2004 11:32 AM

To: jay thayer; 'Bill Sherman (shermanw@psd.state.vt.us)'; Dianne Screnci (dps@nrc.gov)

Jay/Bill/Dianne

The following is from today's front page headline of your local paper. If you read at the end of this article, I have asked for some type of panel discussion to hear all sides of the story. I think the School of International Training would be more than interested in hosting this event. Would it be possible to get all parties together in the next few weeks and have an open discussion about the safety of Vermont Yankee? I think the public deserves to hear all opinions.

If you agree, we can all work together to discuss the overall format and agenda items.

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Expert raps uprate plans

By **CAROLYN LORIÉ**
Reformer Staff

BRATTLEBORO -- "The Nuclear Regulatory Commission is probably the poorest regulator of any regulator in the U.S. They are essentially run by the nuclear industry."

These are the words of Paul Blanch, a nuclear power expert, a one-time consultant to Entergy and an industry whistleblower.

At a forum organized by the New England Coalition, a nuclear power watchdog group, Blanch spoke to an audience of about 20 people at the School of International Training about the proposed "uprate" at Vermont Yankee.

For over an hour, Blanch explained why he believed the plant, the oldest of its type in the country, is not equipped with the necessary safety mechanisms to handle the 20 percent increase.

Although the uprate requires NRC review, Blanch said that the process is a superficial one and that only an Independent Safety Assessment (ISA) could determine the true risks involved in an uprate.

The state Senate Finance Committee is considering sending a resolution to the Senate floor, asking for an ISA prior to NRC approval.

Tuesday night's forum was one in a series sponsored by the coalition. There will be a similar talk on Thursday at the West Village Meeting House in West Brattleboro.

"We want the public to be as well informed as possible and to take an active role in the protection of their own health, safety and economic well-being," said Peter Alexander, executive director of the coalition.

Ned Childs, a resident of Dummerston who lives within the 10-mile evacuation zone of the power plant, was among those in attendance. After Blanch's talk, Childs said that he was hopeful that these forums would generate more discussion in the community.

"I'm hoping that a few more people wake up," he said.

Childs was among several people in the audience who asked technical questions of Blanch, who has a degree in electrical engineering and more than 25 years experience in field.

Although Blanch is quite vocal about the potential problems associated with nuclear power, he said that he is not opposed to it as an energy source.

"I'm pro-nuclear power, as long as it's safe," he explained.

According to Blanch, who served as a witness for the coalition, which is an intervener in the uprate process, the NRC is "looking the other way" at safety risks involved in Vermont Yankee's proposed uprate. Because the plant went into operation in 1972, it does not meet many safety standards that were subsequently implemented. NRC inspections only include those standards that were in effect when the plant opened, said Blanch.

He compared the proposed uprate to adding two stories to a 10-story building in an earthquake zone that was built prior to earthquake standards.

"Adding 20 percent more power is ludicrous," said Blanch.

Vermont Yankee maintains that the uprate can be safely achieved by modifying its cooling systems. The company also considers an ISA unnecessary as the NRC review would catch any safety concerns.

Blanch said that he is interested in hearing more of Entergy's "side of the story" and suggested that SIT convene a panel that would include representatives from all concerned parties.

"This is not a doughnut factory down there. This is a nuclear power plant containing hundreds of millions of curies of radioactive material," said Blanch.