

RAS 12048

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Docket ID 50-293-LR

July 27, 2006 (1:53pm))

DISCLOSURE STATEMENT OF JUDGE NICHOLAS TRIKOUROS
REGARDING THE PILGRIM LICENSE RENEWAL APPLICATIONOFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

I am placing this statement in the record of the Pilgrim boiling water reactor License Renewal proceeding in order to provide full disclosure of certain information which may be perceived to be a conflict of interest in this proceeding.

Early in 2004, Panlyon Technologies, of which I was a Principal, was commissioned by Entergy Northeast to provide best estimate separate effects evaluations of the time available for recovery actions given a loss of coolant from potential malicious acts in an Entergy-owned pressurized water reactor spent fuel pool. Scenarios considered included various degrees of partial uncovering of spent fuel as well as complete drainage of the pool. While I was not the principal investigator, I did provide a management overview of the project and was consulted regarding modeling assumptions and the viability of the results as they progressed. The work was completed in 2005.

Entergy provided preliminary results from this work in a presentation to the National Academy of Sciences (NAS) in Wash D.C. on May 10, 2004, in which I participated as one of several presenters. I have had no other communications with the National Academy prior to or since that day. As it turned out, statements regarding these presentations were included in support of the findings in Section 3 of the subsequent NAS report entitled "Safety and Security of Commercial Spent Nuclear Fuel Storage: Public Report," which has been referenced in the contentions of the Massachusetts Attorney General and Pilgrim Watch in this case.

I have evaluated the impact of my involvement in the technical effort described above and I have concluded that a reasonable person, knowing all of the relevant facts and circumstances about my work for Entergy, would have no reasonable basis to question my impartiality in this case. The work was not associated with the Pilgrim Nuclear Plant nor with any other boiling water reactor. The study was performed in an independent manner using a commonly accepted methodology. We had complete freedom to choose the methodology, the modeling inputs and the analysis assumptions. At Entergy's request, the final documentation of this work was provided to the NRC Staff.

This was just one of many technical tasks regarding spent fuel pool cooling that I have been associated with throughout my career. The background understanding I bring to my current adjudicatory role was generated in part by carrying out consulting work for more than a dozen clients in the nuclear industry, including Entergy. This work put me in a better position to fulfill one of the responsibilities as a Licensing Board Judge, i.e., to review and to question the material presented from a knowledgeable technical perspective.

The above circumstances will not affect my impartiality or independence of judgment in this case, but I have concluded that disclosure was necessary to avoid the possibility of any misunderstanding or misperception.

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Date: Thu, Jul 27, 2006 1:53 PM
Subject: Disclosure of Judge Nicholas Trikouros

Judge Trikouros has asked me to send the attached statement to all participants in the Pilgrim proceeding.

Judge Young

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