

February 15, 2007

Ms. Emma Stamas
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SUBJECT: RESPONSE TO E-MAIL IN REGARDS TO THE LICENSE RENEWAL REVIEW
OF THE VERMONT YANKEE NUCLEAR POWER STATION

Dear Mrs. Stamas:

We received your e-mail on December 18, 2006, expressing your concerns with the license renewal review of the Vermont Yankee Nuclear Power Station (VYNPS). We have responded to each of your concerns below (each of your comments is in *italics* and each response follows) and hope it helps you understand the U.S. Nuclear Regulatory Commission's (NRC's) roles and responsibilities in the license renewal process. We also enclosed a document entitled, "Frequently Asked Questions on License Renewal of Nuclear Power Reactors." This document is a good source of information on the overall license renewal process, addressing both safety and environmental topics. Also, a copy of the draft Supplemental Environmental Impact Statement for VYNPS was issued and mailed to you in mid-December 2006.

The RobinsonEIS@nrc.gov and BrunswickEIS@nrc.gov web addresses are no longer in use since the operating licenses for those two plants have been renewed. We established VermontYankeeEIS@nrc.gov as a web address to receive comments on the scope of the environmental review and on the draft Supplemental Environmental Impact Statement for VYNPS.

1. Do you and your staff consider yourselves to be employed by Entergy or the residents of the USA? Your reports (in both tone and format) show absolutely no evidence of compassion for or interest in the concerns of the citizens who live in close proximity to the Vermont Yankee Station.

The NRC is the Federal government agency responsible for regulation of the nuclear power industry. Our mission is to ensure adequate protection of the public health and safety, promote the common defense and security, and protect the environment in the civilian use of nuclear materials in the United States. As employees of the NRC, we are public servants, and we take our responsibilities to conduct the mission of the NRC very seriously.

There are many ways for citizens to express their concerns regarding nuclear power, including letters, e-mail messages, petitions, and public meetings; we seriously consider all concerns expressed. Your e-mail message dated December 18, 2006, and your letter dated June 18, 2006, during the scoping process for the license renewal review of VYNPS are two examples. This letter responds to your e-mail, and the Scoping Summary Report dated October 30, 2006, responded to your scoping comments. The scoping process including the

public meetings we conducted on June 7, 2006, in Brattleboro, Vermont, was intended to offer members of the public living or working near VYNPS the opportunity to express their concerns about environmental issues.

Our reviews of the safety and environmental aspects of license renewal are based on scientific information, analyses, and acceptance criteria, as are our responses to concerns expressed by citizens. NRC's reviews of concerns about the safety of ongoing operation of nuclear power plants are also based on scientific information, analyses, and acceptance criteria.

2. If you are indeed representing the interests of the US citizens who live near nuclear power stations across the US, why have you constructed your reviews and policies in such a way as to make it impossible for those citizens and their local governmental officials to express their concerns and force companies like Entergy to seriously respond to them?

Our environmental scoping process is designed specifically to identify concerns and supporting information from local citizens and government officials. We did receive a large number of comments as a result of our environmental scoping efforts for the VYNPS review, including a letter from you. NRC's environmental team met with a number of local and state government officials during the scoping process to gather information on any concerns they might have regarding the application.

NRC has required the applicant, Entergy, to respond to requests for additional information pertaining to technical issues the NRC staff deems material to its safety and environmental reviews. The NRC also has publicly shared the information we received from all sources, including Entergy.

3. In writing a summary of the June 6&7 2006 scoping meeting, you edited the letters and comments by leaving out large sections of commentary and by chopping each comment into incoherent and small parts of the whole and reordering them. The comments no longer resemble the original texts and verbal comments made by those citizens who spent many hours writing and researching their questions. This appears to be a form of censorship of the public voice. Is this standard NRC operating procedure?

The complete transcripts of the scoping meetings held on June 7, 2006, are publicly available. The Scoping Summary Report, dated October 30, 2006, (ADAMS Accession No. ML063030576) states the complete transcripts from the open house (commenters only) and public meetings are publicly available and where to find them. The complete transcripts for the open house and afternoon and evening meetings are listed under ADAMS Accession Nos. ML061840036, ML061840033, and ML061840029, respectively. The ADAMS Public Electronic Reading Room is accessible at: <http://adamswebsearch.nrc.gov/dologin.htm>.

All of the comments were carefully considered. In an effort to provide concise responses to comments in the Scoping Summary Report, we identified the essence of the comments made at the public meetings, in e-mail messages, and in letters, and categorized them by issue. It does not change the responses; it merely applies them more broadly to similar comments. This approach enables the NRC staff to address all comments in an efficient manner and is a standard practice for all license renewal environmental reviews.

4. It appears that the only written comments that are going to be followed up by further research or response by your team are those that concern wildlife and power lines and the ecology of the Connecticut River which is overheating as it cools the reactor at Vernon, VT. While this is a serious concern, it is and was NOT the most serious concern expressed by the people who spoke or wrote to the NRC in June 2006. There were hundreds of comments and questions about public safety and security issues (everything from cracks in the aging facility, to the risks of terrorists breaching the weak security system, to concerns about the unusual and dangerous storage of "spent" nuclear fuel control rods, to operational errors and other problems that have actually caused releases of radioactivity at other Nuclear Stations). To all these serious questions and comments, you repeated this comment over and over again: "The comments are out side the scope of the license renewal review and provide no new information: therefore, they will not be evaluated further." Is it legal to construct a government license renewal in such a way that the most serious public safety issues are "outside the scope of the review"? Is this standard operating procedure in any other governmental agencies besides the NRC?

See response to Comment No. 5

5. On p.60 of your report it says, "As part of the license renewal process, it is assumed the safety design basis of the plant will be maintained and the plant will continue to meet all the NRC regulations." If you and the other reviewers continuously ASSUME that the design and upkeep of the facility will "meet all NRC regulations", what is the purpose of the review process except to be a mindless formality? On closer examination of the review process, it appears that the NRC has constructed a process of review that can ignore all questions of public safety by assuming that they are irrelevant or too vague or cannot be proven. Then the NRC appears to totally ignore these issues except when sued by the public whom they are supposedly representing. This is the key question: what is it that you are NOT reviewing and why is this acceptable? It is obviously not acceptable for those of us who have to live and work and raise our families near the Vermont Yankee Nuclear Facility.

The NRC's license renewal process is based on the principle that the current plant-specific licensing basis must be maintained during the renewal term in the same manner, and to the same extent, as during the original license term. By enforcing existing regulations now as well as during the extended period of operation, the NRC can assume that the design basis of the plant will continue to meet all NRC safety criteria and that the plant will continue to be operated within NRC requirements. During the renewal term, the NRC will continue to conduct inspections and provide regulatory oversight to ensure that nuclear power plants continue to meet all regulatory requirements and operate safely. Any safety concerns associated with current plant operations, such as security, emergency preparedness, or degraded conditions for safety components are being addressed by the NRC under the current operating license. Those same concerns would continue to be addressed under a new operating license, if issued.

NRC's review of a license renewal application is focused on safety and environmental issues unique to an additional 20 years of operation beyond the original operating license. The safety review focuses on managing the effects of aging that could lead to failures of long-lived, passive safety systems, structures, and components during an additional 20 years of operation. The environmental review involves an evaluation of the expected environmental impact of an additional 20 years of operation.

In response to scoping comments related to concerns about current plant operation, including security, the Scoping Summary Report indicates (1) how those concerns are currently addressed by NRC's reactor oversight program, and (2) that those concerns are out of scope for license renewal because they are addressed on an ongoing basis under the current operating license.

6. What scientific basis is there for the assumption that over the next 30 years there will not be ANY new or old cracking or aging problems, operational errors, terrorism or vandalism, natural disasters (such as flooding or earthquakes) that could cause an accidental release of radioactivity or an even more serious problem at the Vermont Yankee facility? Inspectors of bridges and tunnels have recently given satisfactory safety reports mere months before the bridges and tunnels they just inspected have suddenly collapsed. What reason does the public have to believe that NRC inspectors will do significantly better with their inspections and reviews over the next 40 years?

NRC makes no such assumption. In fact, based on experience, the NRC assumes that problems will develop. The entire current reactor oversight program and the aging management programs implemented as part of license renewal review are intended to identify problems, either from known degradation mechanisms or new and different ones, before they cause failures. The probabilistic risk assessment described in Chapter 5 and Appendix G of the draft Supplemental Environmental Impact Statement discusses the likelihood and possible consequences of severe plant accidents. NRC constantly strives to conduct the most effective reactor oversight program possible; NRC also continually evaluates the program and revises it to maximize effectiveness. If a renewed operating license is issued, the reactor oversight program will continue to be implemented at VYNPS during the extended period of operation.

7. In an area where almost all of us rely on a healthy and nearly pristine environment to make a living (producing agricultural products, tourism, education, and services for these people), even a small release of radioactivity would be disastrous to our economy. Why isn't this serious economic issue under review?

Small amounts of radioactive material are routinely released from the plant in gaseous effluents and rarely in liquid effluents. These releases are monitored and maintained within the limits of the Environmental Protection Agency and NRC regulations. Entergy and the State of Vermont conduct radiological environmental monitoring programs in the area around the plant to ensure that the amount of radiocides found in the environment from these releases are as expected. Chapter 2 of the draft Supplemental Environmental Impact Statement discusses the very small impact of these releases.

There is also some risk of the release of radioactive material from a plant accident. Chapter 5 and Appendix G of the draft Supplemental Environmental Impact Statement discuss the potential impacts from design basis and severe accidents and the Severe Accident Mitigation Alternatives (SAMA) analysis. The SAMA analysis discusses the likelihood and possible consequences of plant accidents. The estimated consequences include offsite economic costs associated with severe plant accidents.

E. Stamas

-5-

If you have any questions or require additional information, please contact the Environmental Project Manager, Mr. Richard L. Emch, Jr., by e-mail at VermontYankeeEIS@nrc.gov or RLE@nrc.gov or call him at 1-800-368-5642, extension 1590.

Sincerely,

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Rani Franovich, Branch Chief
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Enclosure:
As stated

Docket No. 50-271

cc w/o encl: See next page

E. Stamas

-5-

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