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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

DOCKETED  
USNRC

In the matter of  
Entergy Corporation  
Pilgrim Nuclear Power Station  
License Renewal Application

Docket # 50-293

April 18, 2008 (4:00 pm)

April 9, 2008

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

**PILGRIM WATCH MOTION REQUESTING THE RECORD BE HELD OPEN  
SO THAT THE BOARD MAY ADDRESS A NEW AND SIGNIFICANT ISSUE  
[METHOD TO CALCULATE CUMULATIVE USAGE FACTORS (CUF)] SUA  
SPONTE AND PROVIDE PILGRIM WATCH AN OPPORTUNITY FOR  
HEARING**

Pilgrim Watch now seeks to bring before the ASLB certain newly revealed information affecting the assurance of public health and safety; information of which the ASLB should take notice and investigate through the hearing process. We are asking the Board to review this new issue sua sponte and to provide an opportunity for Pilgrim Watch to be heard on the issue in order to assist the Board in building a fair and complete record of adjudication on all issues of importance to public health and safety.

On April 8th, 2008, Pilgrim Watch received new and relevant information regarding serious flaws in the License Renewal Applications of nuclear plants that are in all critical respects identical Pilgrim NPS [BWR, GE, Mark 1 reactors] and serious flaws in the review process.

On April 5, 2008, the Brattleboro Reformer published an article ,VY metal fatigue issues raise concerns elsewhere. The article is attached.

In summary the article says that,

Issues related to metal fatigue at Vermont Yankee nuclear power plant raised by the New England Coalition on Nuclear Pollution in contentions filed in the relicensing of the of the facility in Vernon, have raised concerns at Oyster Creek nuclear generating station in Ocean County NJ. NEC challenged the way Entergy had calculated the effects of metal

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fatigue on certain key components and piping. The ACRS took up the issue. After its review of calculations, the ARCS recommended approval of Entergy's application but with the caveat that the NRC require Entergy to conduct analyzes of the nozzles over the next two years. Before the plant receives approval, Entergy must complete those analyses and document them as part of the final safety report.

Following the Yankee finding, the NRC issued a notice that it was reviewing calculations used to determine fatigue of a reactor circulation nozzle at Oyster Creek.<sup>1</sup>

Neil Sheehan, spokesman for NRC, was quoted as saying, "After Vermont Yankee, we are using an abundance of caution to let some of the other plants know they might be affected by this."

He went on to say that,

The staff is reviewing the use of a-simplified method to calculate cumulative usage factors that may not be conservative, according to the "significant new information" notice issued by the NRC. NRC staffers have looked at conditions at other nuclear power plants because of the metal fatigue issues raised at Yankee. Did Oyster Creek use a method that was too simplified? After looking at it, we think that might be the case.

Pilgrim Watch now questions whether NRC staffers looked at conditions at Pilgrim because of the metal fatigue issues raised; if so, what were their findings; and did Pilgrim use a method that was too simplified that would impact public safety?

Respectfully submitted,



Mary Lampert

Pilgrim Watch, pro se

148 Washington Street

Duxbury, MA 02332

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<sup>1</sup> Adams ML080930335

## ATTACHMENT

### **VY metal fatigue issues raise concerns elsewhere**

By BOB AUDETTE, Reformer Staff

Saturday, April 5

BRATTLEBORO -- Issues related to metal fatigue at Vermont Yankee nuclear power plant, raised by the New England Coalition on Nuclear Pollution in contentions filed in the relicensing of the facility in Vernon, have raised concerns at Oyster Creek nuclear generating station in Ocean County, N.J.

NEC challenged the way Entergy, which owns and operates Yankee, had calculated the effects of metal fatigue on certain key components and piping.

The Advisory Committee on Reactor Safety took up the issue of Entergy's calculations used to determine wear and tear on the reactor recirculation outlet, the feedwater nozzle and the core spray line nozzles in a series of meetings earlier this year.

Entergy maintained that its formula showed the fatigue would meet the safety criteria that would allow the plant to operate for an additional 20 years past its license expiration in 2012. Entergy has applied to the NRC for a license renewal, which would extend the plant's operation from 2012 to 2032.

After its review of the calculations, the ACRS recommended approval of Entergy's application but with the caveat that the NRC require Entergy to conduct analyses of the nozzles over the next two years. Before the plant receives final approval, Entergy must complete those analyses and document them as part of the final safety evaluation report.

Following the Yankee finding, the NRC issued a notice that it was reviewing calculations used to determine fatigue of a reactor recirculation nozzle at Oyster Creek.

"After Vermont Yankee, we are using an abundance of caution to let some of the other plants know they might be effected by this," said Neil Sheehan, spokesman for the NRC.

Like Entergy and its Yankee plant, Amergen is also seeking a license extension for its Oyster Creek plant.

"The staff is reviewing the use of a simplified method to calculate cumulative usage factors that may not be conservative," according to the "significant new information" notice issued by the NRC.

NRC staffers have looked at conditions at other nuclear power plants because of the metal fatigue issues raised at Yankee, said Sheehan.

"Did (Oyster Creek) use a method that was too simplified?" asked Sheehan. "After looking at it, we think that might be the case."

NRC staff asked Amergen to perform a confirmatory analysis of its calculations that is consistent with methodology recommended by the American Society of Mechanical Engineers

"However, the staff believes that the safety significance of using the simplified analysis method is low based on the risk assessments performed by the staff in resolving generic safety issues," according to the NRC notice.

"NEC has a long record of raising safety issues that are later acknowledged by the NRC," said NEC consultant Ray Shadis. "Our mission is to make these things less dangerous.

"Numerous times, issues we have raised have been validated by the NRC later," agreed Diana Sidebotham, former president of NEC. "It is good to make the plant safer, but the old plants should be closed."

This July, the Atomic Safety and Licensing Board will be in Brattleboro to hold evidentiary hearings related to NEC's contentions.

The reactors at both Oyster Creek and Vermont Yankee are General Electric Mark I boiling water reactors. Oyster Creek has been in operation since 1969. It and the reactor at Nine Mile Point in Oswego, N.Y., are the oldest operating commercial reactors in the country. Vermont Yankee has been in operation since 1972.

The Nuclear Regulatory Commission has completed its environmental and safety assessments of Yankee and has concluded there are no significant reasons for denying the request. A decision from the NRC is expected in November.

But before Entergy can continue operating the plant, it must also receive approval from Vermont's Public Service Board and its Legislature. Recently, Entergy submitted its petition for a certificate of public good to the PSB,

which will review the reasons Entergy has presented for Yankee's continued operation.

The Legislature has started its own review on whether the plant should be allowed to continue operation.

There is also the question of whether an independent safety assessment of the plant should be conducted. Anti-nuclear activists, federal legislators and Gov. James Douglas have all indicated they would like to see some sort of independent assessment conducted prior to license renewal.

The NRC has insisted no such assessment is required as its relicensing procedure has been amended over the years to include lessons learned at nuclear power plants around the country, but has agreed to consider requests for an additional inspection of Yankee.

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[http://www.reformer.com/ci\\_8819911?source=most\\_email](http://www.reformer.com/ci_8819911?source=most_email)



OFFICE OF THE  
GENERAL COUNSEL

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

April 3, 2008

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Atomic Safety and Licensing Board  
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Washington, DC 20555-0001

In the Matter of  
AMERGEN ENERGY COMPANY, LLC  
(License Renewal for Oyster Creek Nuclear Generating Station)  
Docket No. 50-219-LR

Dear Administrative Judges:

Enclosed for your information is a copy of the April 3, 2008 Notification of Information in the Matter of Oyster Creek Nuclear Generating Station License Renewal Application, which the Staff has provided to the Commission.

Sincerely,

A handwritten signature in black ink, appearing to read "James E. Adler".

James E. Adler  
Counsel for the NRC Staff

Enclosure: As Stated

cc w/enclosure: Service List

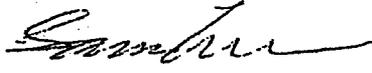


UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

April 3, 2008

Board Notification 2008-01

MEMORANDUM TO: Chairman Klein  
Commissioner Jaczko  
Commissioner Lyons  
Commissioner Svinicki  
Atomic Safety and Licensing Board  
All Parties

FROM: Samson S. Lee, Acting Director   
Division of License Renewal  
Office of Nuclear Reactor Regulation

SUBJECT: NOTIFICATION OF INFORMATION IN THE MATTER OF OYSTER  
CREEK NUCLEAR GENERATING STATION LICENSE RENEWAL  
APPLICATION

In conformance with the Commission's policy on notification to the Commission and the Atomic Safety Licensing Board (ASLB) regarding significant new information, this memorandum provides the following information.

The staff is reviewing the use of a simplified method to calculate cumulative usage factors (CUF) that may not be conservative. Oyster Creek Nuclear Generating Station (Oyster Creek) used this simplified fatigue calculation method for one type of nozzle, the recirculation nozzle at the plant. This type of calculation was not applicable to the drywell shell analysis, which is the subject of the appealed contention pending before the Commission. Although, this simplified calculation is not relevant to the contention in the proceeding that was before the ASLB, we are providing this information, because this may be an issue of public interest.

The staff plans to ask Oyster Creek to perform a confirmatory analysis consistent with the methodology in Section III of the ASME Code. However, the staff believes that the safety significance of using the simplified analysis method is low based on the risk assessments performed by the staff in resolving generic safety issues (GSI)-166 and GSI-190.

Docket No. 50-219

cc: See next page

CONTACT: Donnie J. Ashley, NRR  
301-415-3191

Accession Number: ML080930335

**UNITED STATES OF AMERICA**  
**NUCLEAR REGULATORY COMMISSION**  
**BEFORE THE ATOMIC SAFETY AND LICENSING BOARD**

In the matter of

Docket # 50-293-LR

Entergy Corporation

Pilgrim Nuclear Power Station

License Renewal Application

April 9, 2008

**CERTIFICATE OF SERVICE**

I hereby certify that the following was served March 17, 2008 by electronic mail and by U.S. Mail, First Class to the Service List: Pilgrim Watch Motion Requesting the Record be Held Open so That the Board May Address a New and Significant Issue Method to Calculate Usage Factors (CUF) SUA Sponte and Provide Pilgrim Watch an Opportunity for Hearing.

Administrative Judge  
Ann Marshall Young, Chair  
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US NRC  
Washington, DC 20555-0001

Administrative Judge  
Paul B. Abramson  
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Administrative Judge  
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Secretary of the Commission  
Attn: Rulemakings and Adjudications  
Staff  
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United States Nuclear Regulatory  
Commission [Two Copies]

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