

EDO Principal Correspondence Control

FROM: DUE: 03/21/11

EDO CONTROL: G20110141

DOC DT: 02/28/11

FINAL REPLY:

Senator Patrick Leahy  
Senator Bernard Sanders  
Representative Peter Welch

TO:

Chairman Jaczko

FOR SIGNATURE OF :

\*\* PRI \*\*

CRC NO: 11-0088

Chairman Jaczko

DESC:

ROUTING:

Vermont Yankee Decommissioning Process  
(EDATS: SECY-2011-0099)

Borchardt  
Weber  
Virgilio  
Ash  
Muessle  
OGC/GC  
Dean, RI  
Satorius, RIII  
Miller, FSME  
Burns, OGC  
Schmidt, OCA

DATE: 03/02/11

ASSIGNED TO:

CONTACT:

EDO

Rihm

SPECIAL INSTRUCTIONS OR REMARKS:

Please prepare response in accordance with OEDO  
Notice 2009-0441-02 (ML093290179). NRR, Region I,  
and Region III to provide input to Roger Rihm,  
OEDO, if required. Roger Rihm will coordinate  
response with OGC and OCA.

Template: SECY-017

E-RIDS: SECY-01

# EDATS

Electronic Document and Action Tracking System



**EDATS Number:** SECY-2011-0099

**Source:** SECY

## General Information

**Assigned To:** OEDO

**OEDO Due Date:** 3/21/2011 11:00 PM

**Other Assignees:**

**SECY Due Date:** 3/23/2011 11:00 PM

**Subject:** Vermont Yankee Decommissioning Process

**Description:**

**CC Routing:** NRR; RegionI; RegionIII; FSME; OGC; OCA

**ADAMS Accession Numbers - Incoming:** NONE

**Response/Package:** NONE

## Other Information

**Cross Reference Number:** G20110141, LTR-11-0088

**Staff Initiated:** NO

**Related Task:**

**Recurring Item:** NO

**File Routing:** EDATS

**Agency Lesson Learned:** NO

**OEDO Monthly Report Item:** NO

## Process Information

**Action Type:** Letter

**Priority:** Medium

**Sensitivity:** None

**Signature Level:** Chairman Jaczko

**Urgency:** NO

**Approval Level:** No Approval Required

**OEDO Concurrence:** YES

**OCM Concurrence:** NO

**OCA Concurrence:** NO

**Special Instructions:** Please prepare response in accordance with OEDO Notice 2009-0441-02 (ML093290179). NRR, Region I, and Region III to provide input to Roger Rihm, OEDO, if required. Roger Rihm will coordinate response with OGC and OCA.

## Document Information

**Originator Name:** Sen. Patrick Leahy, Sen. Bernard Sanders, Rep. Peter Welch

**Date of Incoming:** 2/28/2011

**Originating Organization:** Congress

**Document Received by SECY Date:** 3/2/2011

**Addressee:** Chairman Jaczko

**Date Response Requested by Originator:** NONE

**Incoming Task Received:** Letter

OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

*Date Printed: Mar 01, 2011 11:11*

PAPER NUMBER: LTR-11-0088  
ACTION OFFICE: ED/GC

LOGGING DATE: 02/28/2011

AUTHOR: SEN Patrick Leahy, Bernard Sanders, and Rep. Peter Welch  
AFFILIATION: CONG  
ADDRESSEE: Gregory Jaczko  
SUBJECT: Urges the NRC to ensure a safe and expeditious decommissioning process at the Vermont Yankee nuclear plant

ACTION: Signature of Chairman  
DISTRIBUTION: RF, OCA to Ack

LETTER DATE: 02/28/2011

ACKNOWLEDGED: No

SPECIAL HANDLING: EDO should coordinate response with OGC....Commission Correspondence

NOTES:

FILE LOCATION: ADAMS

DATE DUE: 03/23/2011

DATE SIGNED:

# Congress of the United States

February 28, 2011

The Honorable Gregory B. Jaczko  
Chairman  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Dear Chairman Jaczko:

We write to you today to urge the Nuclear Regulatory Commission (NRC) to ensure a safe and expeditious decommissioning process at the Vermont Yankee nuclear plant at the time the plant ceases operations. Immediate decommissioning will assure Vermonters that the plant is being disassembled safely, and will provide an opportunity for current plant employees who are most knowledgeable about the facility to work to safely decommission it. The idea that Entergy, the owner of Vermont Yankee, will seek decades of delay before fulfilling their commitment to cleaning up Vermont Yankee is unacceptable.

Entergy has several times publicly indicated its preference for the use of the so-called "SAFSTOR" method of decommissioning. "SAFSTOR" would let Entergy off the hook for clean-up, waste disposal, and remediation of the plant site in Vernon, Vermont, for years or even decades. Entergy Vice President Jay Thayer testified to the Vermont Senate Finance Committee that "if the plant closes in 2012, (Yankee) would remain in safe-store for a period of time most likely, most likely in a 15- to 20- year time frame."

While Entergy may prefer leaving the plant to sit like an abandoned factory because it has not saved the necessary funds to fully decommission the plant, this is not the safest option for Vermonters. Unfortunately despite its name, the "SAFSTOR" option does not guarantee safe maintenance. The Dresden One facility in Illinois, while it was in "SAFSTOR," had a frozen pipe burst when the heat in the building was shut off. This leaked 55,000 gallons of radioactive water in the containment building. According to reports, had the leak not been discovered by a night watchman after several days, additional frozen pipes could have burst and caused a serious radiation release. All of this happened at a plant that still had other operating reactors and a full complement of engineers and personnel on-site to address the situation.

The use of "SAFSTOR" at Vermont Yankee, if approved by the NRC, would be a rare and unwelcome exception. "SAFSTOR" may be more commonly used at sites with multiple reactors, where there would remain a full complement of site personnel. Vermont Yankee is a single reactor site, and similar sites including Maine Yankee and the Connecticut Yankee plant, both were approved for the "DECON" option. This meant immediate decommissioning activities took place after operations ceased. It is important to note that under the "DECON" option there remains significant flexibility, and

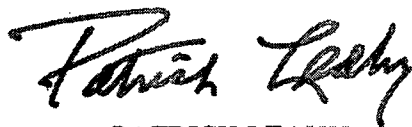
according to NRC regulations, the decommissioning schedule and activities can be changed as necessary to respond to conditions and to protect the health and safety of workers and the public. The Connecticut Yankee plant selected "immediate dismantlement because it was the most practical and environmentally responsible option."

As you know the Vermont Senate, in an overwhelming bi-partisan vote, has declined to authorize the issuance of a Certificate of Public Good for continued operation of Vermont Yankee beyond its sunset date in 2012. Immediate decommissioning at the time the plant ceases operations would allow Vermont Yankee to utilize its current employees' knowledge of the plant and their technical skills. According to Connecticut Yankee, immediate dismantlement was selected in part because it allowed for "use of current plant employees who were trained and knowledgeable about the facility." Connecticut Yankee found that among the disadvantages of "SAFSTOR" is the fact that "few, if any, personnel familiar with the facility are available at the time of decontamination (up to 60 years after plant shutdown)."

The safe decommissioning of Vermont Yankee is an issue of enormous consequence for Vermont. Therefore we request a meeting with the entire Commission, as soon as possible, to discuss the NRC's oversight of Vermont Yankee and the decommissioning process. We will also invite Governor Shumlin to join this meeting, because the state has a vital interest in the safe and immediate decommissioning of the plant.

For all of the reasons stated, we respectfully request that the NRC require immediate dismantlement of Vermont Yankee at the time its operations cease, and look forward to discussing this with the Commission soon.

Sincerely,



PATRICK LEAHY  
United States Senator



BERNARD SANDERS  
United States Senator



PETER WELCH  
United States Representative