VT Nuke Owner: No Need to Plan for Closing

DAVE GRAM,Associated Press

MONTPELIER, Vt. (AP) — The owners of the Vermont Yankee nuclear power plant have told federal regulators they won't shut down the plant in the next five years, even though their request for a state permit remains unresolved after state efforts to shut down the reactor failed.

The word came in a letter from New Orleans-based Entergy Corp. to the Nuclear Regulatory Commission dated March 30 and made public this week, as the 40-year-old plant closed out a third week of operating in legal limbo.

The plant has a renewed federal license but an expired state permit. Its request for a new state permit, called a certificate of public good, is pending before state regulators.

Sarah Hofmann, deputy commissioner of the state Department of Public Service, said for Entergy to tell the NRC it planned to operate Vermont Yankee for at least another five years was "premature and presumptuous."

Meanwhile, the plant worked to recover from recent problems with its steam condenser. Plant spokesman Larry Smith said Vermont Yankee was operating at 58 percent power and gaining power after repairs to leaks in the condenser. Smith said the problem was a small one, involving only five of 22,000 tubes in the condenser.

Nuclear plants scheduled to close within five years or which look likely to do so are supposed to report annually to the NRC on how well their decommissioning funds are doing. Those funds are essentially retirement accounts — money set aside to dismantle a reactor, dispose of its radioactive waste and other components and restore the site.

Entergy officials sent the NRC the letter, saying they had submitted decommissioning fund updates for the two operating reactors at the Indian Point station in New York's Hudson River Valley and for the Pilgrim nuclear plant in Plymouth, Mass. Entergy has applied for 20-year license renewals at Indian Point and Pilgrim; those applications are pending.

Entergy said it would not submit a similar report for Vermont Yankee because it received the 20-year renewal of its NRC license in March of 2011.

"The licensee does not have plans to close Vermont Yankee within 5 years," the Entergy letter to NRC said. "Accordingly, Entergy Nuclear Operations Inc. is not including herewith a report" on the Vermont plant's decommissioning fund.

Hofmann said that when Entergy made a similar filing with the NRC shortly after getting its license extension last year, "we wrote to the NRC and said, 'Wait a

minute, slow down a little bit. They're being premature." She said the NRC "ended up agreeing with us."

Hofmann said she was drafting a similar letter to the NRC and expected to send it Thursday.

In a related development, Entergy disputed a $625,000 request from Vermont for a quarterly payment into the state's Clean Energy Development fund. The fund is used to subsidize renewable energy development.

A federal judge in January blocked the state's attempt to close Vermont Yankee down when the plant's initial 40-year license term expired March 21. But the state has maintained that if the plant is to keep operating, it needs to honor prior agreements with Vermont, including paying into the fund.

Hofmann said the state would ask the state regulatory board to order Entergy to continue to make the payments.

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