

July 26, 2000

Nancy Burton, Esquire  
Connecticut Coalition Against Millstone  
13 Water Street  
Mystic, Connecticut 06355-2507

Dear Ms. Burton:

The purpose of this letter is to respond to the concerns noted in your letter to the Commissioners dated May 25, 2000. Specifically, you raised concerns regarding the lack of public participation in the agency's decision to categorize Millstone Units 2 and 3 as plants under routine NRC oversight.

The NRC has a formal process for determining the level of focus or oversight each plant will receive. The process provides for a review and evaluation of plant activities and the determination of appropriate NRC actions to address performance concerns. As part of this process, the NRC convenes an annual meeting (semiannual prior to April 1999) of NRC senior managers, known as the Senior Management Meeting (SMM), to review plant performance and determine the appropriateness of agency actions and the allocation of agency resources for those plants whose performance warrants heightened agency attention. Approximately two weeks following the SMM, the staff presents the results of the SMM to the Commission in a public meeting. The most recent such Commission meeting was held on May 25, 2000, to discuss the results of the SMM that was held on May 10 and 11, 2000.

With regard to your comment that the Commission meeting agenda did not mention the Millstone plant or the decision to reduce the level of oversight at Millstone, this process requires that this briefing include a discussion of plants previously selected for increased NRC oversight. As it has been since its inception, this process was followed for all operating reactors regulated by the NRC, including the Millstone units. The Millstone units were discussed at the June 1996 SMM and placed on the NRC's Watch List as plants that the NRC would monitor closely. The Millstone units have been discussed at each SMM since June 1996 and discussed at the subsequent public Commission meetings. While there has been considerable public interaction with the NRC staff and the Commission since Millstone was first placed on the Watch List, the SMM process has continued to be an internal staff process that is used to assess plant performance and allocate agency resources to address significant performance issues.

The concern you raise in your letter regarding public awareness of the SMM process is not new to the agency. The SMM process has undergone substantial change over the past several years in an effort to make it more predictable and understandable to both the public and the industry. This has been the result of criticism from both internal and external stakeholders, and this criticism helped form the basis for many of the improved aspects of the NRC's revised reactor oversight process (ROP) which was implemented at all plants in April 2000. While the responsibility for assuring public health and safety rests with the NRC, the ROP is intended to make its assessment process more predictable and understandable to the public. Detailed information about the ROP, including plant assessment results, is available through the NRC's public web site at <http://www.nrc.gov/NRR/OVERSIGHT/index.html>. Additionally, the NRC and

the Nuclear Energy Advisory Council (NEAC) jointly conducted a meeting with the public to describe the new reactor oversight process on July 20, 2000, at the Waterford Town Hall in Waterford, CT.

Finally, I wish to note that the basis for actions taken as a result of the SMM, including the May 2000 SMM, are provided in the docketed inspection and assessment results which are a matter of public record. In fact, in its letters of September 30, 1999, and March 31, 2000, that documented the results of its semiannual plant performance review, the agency noted that we had not identified any significant performance issues at Millstone Units 2 and 3 and that the plants continued to operate in a safe manner. It has also been noted in public meetings in the Millstone area over the past year that the licensee has been generally successful in remedying many of its past performance problems and has made broad improvements in its overall safety performance. Recently, the NRC conducted a meeting with the licensee to discuss the semiannual plant performance review on June 20, 2000, at the plant. The meeting was open to public observation.

In summary, the NRC's SMM process is an internal process used by the agency's senior managers to focus agency resources on those plants with performance concerns. The recently implemented ROP improvements and the increased use of the public web site are designed to enhance public awareness and make the assessment process more predictable and understandable. Nevertheless, all of the information considered during the recent SMM process was publically available and the SMM briefing to the Commission was a properly noticed public meeting. Therefore, the staff considers that the public had sufficient information and opportunity to understand and observe the decisions made regarding Millstone.

If you have any further questions or concerns, please do not hesitate to contact us.

Sincerely,

*/RA/*

Samuel J. Collins, Director  
Office of Nuclear Reactor Regulation

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\* see previous concurrence

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NOTE: This has been coordinated through NRR/DLPM, Region I, and OPA and their comments have been incorporated (see attached notes/emails).