

OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

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**PAPER NUMBER:** LTR-04-0230  
**ACTION OFFICE:** EDO  
**AUTHOR:** Paul Normandeau  
**AFFILIATION:** VT  
**ADDRESSEE:** Nils Diaz  
**SUBJECT:** Independent Engineering Assessment for Vermont Yankee  
**ACTION:** Direct Reply  
**DISTRIBUTION:** Cy RF. SECY to Ack.  
**LETTER DATE:** 03/31/2004  
**ACKNOWLEDGED:** No  
**SPECIAL HANDLING:** ADAMS for Immediate  
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**NOTES:**  
**FILE LOCATION:** ADAMS  
**DATE DUE:** 05/11/2004

**LOGGING DATE:** 04/13/2004

Action To: Dyer, NRR  
Ref. G20040228

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A motion was made and passed to send a resolution to Nils Dias, NRC Chair; Governor James Douglas, David O'Brien, Public Service Commission, to agree to Vt. Senate S.R.21 for having an Independent Engineering Assessment before ENTERGY Nuclear up rates power production. CC: Michael Dworkin, David Deen, Jeanette White, Rod Gander and Steve Darrow.

RESOLVED: That this legislative body urges the NRC to condition approval of any uprate at the Vermont Yankee nuclear power facility upon performance of an "independent engineering assessment" being completed at Entergy Nuclear Vermont Yankee as called for in the Public Service Board ruling and which independently:

- 1) Assesses the conformance of the facility to its design and licensing bases, for operating at both 100 percent and 120 percent of its originally intended power production level.
- 2) Identifies all deviations, exemptions and/or waivers from (a) regulatory requirements applicable to Vermont Yankee and (b) regulatory requirements applicable to a new nuclear reactor (i.e. today's safety regulations) and verifies that adequate safety margins are retained despite the cumulative effect of such deviations, exemptions, and/or waivers for both the present licensed power level and under the proposed extended power uprate;
- 3) Assesses the facility's operational safety performance giving risk perspectives where appropriate;
- 4) Evaluates the effectiveness of licensee self-assessments, corrective actions, and improvement plans; and
- 5) Determines the root causes(s) of safety-significant findings and draws conclusions on overall performance.

Meeting adjourned 9:25 PM.

Approved \_\_\_\_\_

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Paul E. Normandeau, Chairman

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Lester L. Dunklee, Clerk

Minutes by Lester Dunklee, Clerk