

May 28, 2004

Mr. Steven J. Winter
Clerk of the Senate
State of New Hampshire
107 N. Main Street
Concord, NH 03301

Dear Mr. Winter:

I am responding to your letter of April 27, 2004, to the Chairman of the U.S. Nuclear Regulatory Commission (NRC). Your letter forwarded Senate Resolution 5, urging an independent safety assessment for the Vermont Yankee Nuclear Power Station (Vermont Yankee). The basis for this request, as stated in the Resolution, is a proposed 20-percent increase in the allowable power level for Vermont Yankee.

The Resolution adopted by the New Hampshire State Senate is identical to Resolution S.R. 21 adopted by the Vermont State Senate which was provided to the NRC by letter dated March 17, 2004. The Vermont State Senate Resolution identifies five specific actions that the Senate requested be included in an independent engineering assessment. These actions are the specific attributes of the October 7, 1996, independent safety assessment referred to in your letter. The NRC staff believes that the specific actions requested by the Senate are already satisfied in one way or another through current or planned NRC processes. A copy of the NRC response to the Vermont Senate, dated May 24, 2004, is enclosed for your information.

In our response to the Vermont Public Service Board, the NRC examined our proposed inspections and technical reviews to assure ourselves that they will identify any potential concerns for operating at uprated power conditions. The NRC has decided to conduct a detailed engineering inspection that we believe will be appropriate for addressing our oversight responsibilities and is also responsive to the New Hampshire State Senate concerns. We have concluded that the detailed technical review, coupled with our program of power uprate and engineering inspections, will provide the information necessary for the NRC staff to make a decision on the safety of operation of Vermont Yankee under uprated power conditions.

Thank you for your interest in the NRC activities. For current information on the NRC's review of the proposed power uprate, please see the Vermont Yankee webpage on the NRC's website at www.nrc.gov/reactors/plant-specific-items/vermont-yankee-issues.html

Sincerely,

/RA by JClifford for/

Cornelius F. Holden, Director
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Enclosure: Response to Vermont State Senate

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Division of Licensing Project Management
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Enclosure: Response to Vermont State Senate

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