

May 28, 2004

Ms. Diana Sidebotham
Mr. Peter Alexander
New England Coalition
P.O. Box 545
Brattleboro, VT 05302

Dear Ms. Sidebotham and Mr. Alexander:

I am responding on behalf of the Nuclear Regulatory Commission (NRC) to your letter of March 24, 2004. In your letter, you requested that the NRC order an Independent Safety Assessment (ISA) to be performed prior to any NRC decision regarding a proposed extended power uprate at the Vermont Yankee Nuclear Power Station (Vermont Yankee). You also stated that the New England Coalition supports the requests forwarded by the Vermont Public Service Board and the Vermont State Senate.

In response to the Public Service Board regarding the proposed power uprate at Vermont Yankee, we have taken a closer look at 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 Public Service Board's concerns. A copy of the NRC response to the Board's request, dated May 4, 2004, is enclosed as Enclosure 1.

The Vermont State Senate provided Resolution S.R. 21 to the NRC by letter dated March 17, 2004. The Senate Resolution identifies five specific actions that the Senate requested be included in an independent engineering assessment. The NRC has carefully considered these requests and has concluded that the specific actions requested by the Senate are already satisfied in one way or another through current or planned NRC processes. The NRC responded to the Vermont Senate by letter dated May 24, 2004. A copy of this letter is enclosed, for your information, as Enclosure 2.

Your letter requested an assessment similar in scope and scale to that performed at Maine Yankee in 1996. The Maine Yankee ISA team consisted of 25 members including three State representatives and six NRC contractors. The ISA was conducted over a three-month period including four weeks of onsite inspections. The review being conducted relating to the proposed power uprate at Vermont Yankee is of a different scope and size than the ISA conducted at Maine Yankee because the purpose is different. The ISA at Maine Yankee was performed in response to an investigation of allegations regarding use of a computer code and indications of poor performance. This situation does not exist at Vermont Yankee. The pilot inspection will be performed by a team of approximately six inspectors, including some NRC inspectors that do not have recent oversight experience at Vermont Yankee, and at least two contractors with design experience.

We have concluded that the detailed technical review, coupled with inspections prescribed by the reactor oversight process, as enhanced by a new engineering inspection, 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 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 <http://www.nrc.gov/reactors/plant-specific-items/vermont-yankee-issues.html>.

Sincerely,

/RA/

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

Enclosure: Response to Public Service Board
Response to Vermont State Senate

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