

June 16, 2004

Mr. Bill Noyes, Chair
Westminster Selectboard
Town of Westminster
P.O. Box 147
Westminster, VT 05158

Dear Mr. Noyes:

I am responding on behalf of the Nuclear Regulatory Commission (NRC) to your letter of May 11, 2004. In your letter, you requested that the NRC order an Independent Safety Assessment (ISA) to be performed prior to any further NRC action on the proposed extended power uprate at the Vermont Yankee Nuclear Power Station (Vermont Yankee). You stated that the ISA should contain the criteria passed in the recent Vermont Senate resolution.

On May 4, 2004, the NRC sent a letter to the Vermont Public Service Board (PSB) responding to the PSB's request for an independent engineering assessment at Vermont Yankee. As described in this letter, the NRC will conduct a detailed engineering inspection at Vermont Yankee. The inspection will be done as part of a new engineering inspection that the NRC has been developing to enhance the reactor oversight process (ROP).

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 (which includes a copy of the NRC response to the Vermont PSB, as described above).

As you are aware, the NRC staff is in the early stages of the review of the Vermont Yankee power uprate amendment request. As such, we have not reached any conclusions concerning the acceptability of the proposed amendment. We believe that the extensive technical review performed by the NRC staff using our new Review Standard for extended power uprates, combined with the inspections prescribed by the ROP, as enhanced by the new engineering inspection, will provide the information necessary for the NRC staff to make a decision on whether Vermont Yankee can operate safely under uprated power conditions. The NRC will not approve the Vermont Yankee power uprate, or any proposed change to a plant license, unless the NRC staff can conclude that the proposed change will be executed in a manner that assures the public's health and safety.

Mr. Bill Noyes

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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 Vermont State Senate

Mr. Bill Noyes

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Sincerely,

/RA/

Cornelius F. Holden, Director
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