

EDO Principal Correspondence Control

FROM: . DUE: 11/02/04

EDO CONTROL: G20040708  
DOC DT: 10/20/04  
FINAL REPLY:

Senator James M. Jeffords  
Senator Patrick Leahy  
Representative Bernard Sanders

TO:

Chairman Diaz

FOR SIGNATURE OF :

\*\* PRI \*\*

CRC NO: 04-0660

Chairman Diaz

DESC:

ROUTING:

Independent Engineering Inspection Team - Vermont  
Yankee

Reyes  
Virgilio  
Kane  
Merschhoff  
Norry  
Dean  
Burns/Cyr  
Collins, RI  
Rathbun, OCA

DATE: 10/20/04

ASSIGNED TO:

CONTACT:

NRR

Dyer

SPECIAL INSTRUCTIONS OR REMARKS:

Template: SECY-017

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OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

Date Printed: Oct 20, 2004 11:43

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**ACTION OFFICE:** EDO

**AUTHOR:** SEN James Jeffords  
**AFFILIATION:** SEN  
**ADDRESSEE:** Nils Diaz  
**SUBJECT:** Vermont Yankee nuclear power plant

**ACTION:** Signature of Chairman  
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**LETTER DATE:** 10/20/2004

**ACKNOWLEDGED** No  
**SPECIAL HANDLING:** Co-author..Sen Patrick Leahy  
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**FILE LOCATION:** ADAMS

**DATE DUE:** 11/04/2004 **DATE SIGNED:**

# United States Congress

October 20, 2004

The Honorable Nils J. Diaz  
Chairman  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Dear Chairman Diaz:

We write to request that the Nuclear Regulatory Commission (NRC) expedite release of the draft report of the independent engineering inspection team at the Vermont Yankee nuclear power plant. The independent engineering inspection team was scheduled to complete its inspection at Vermont Yankee by September 6, 2004. We understand that work on the team's report is underway and the NRC will schedule an exit meeting with the State of Vermont and the licensee shortly. We believe that the State of Vermont and the public should have time to review the independent engineering inspection report before it is made final, and be provided an opportunity to hear from and interact with the inspection team members regarding its contents.

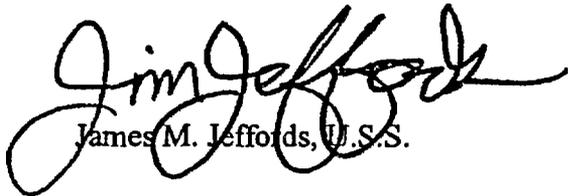
We note that the Atomic Safety and Licensing Board (ASLB) plans to hear oral arguments in Brattleboro on October 21 and 22, 2004 regarding the two requests for hearings on the proposed power uprate at the Vermont Yankee nuclear power plant. The NRC announced that the general public may submit written comments for the ASLB oral argument but will not have an opportunity to speak. In doing so, the NRC noted that there would be "other opportunities for the public to offer comments to the NRC on the uprate proposal, including an upcoming exit meeting for an engineering inspection conducted by the agency at the plant in August." We expect the NRC to adhere to this promise, and ensure that the exit meeting is a participatory public meeting allowing our constituents to learn about the results of the independent engineering assessment, to make statements, and to ask questions about the independent engineering assessment.

You have also assured us that hearing requesters may amend or add to their contentions based upon information obtained through the independent engineering assessment now being undertaken at Vermont Yankee. We believe that the independent engineering assessment may contain new information of interest to the requestors and they should have adequate time to review its results.

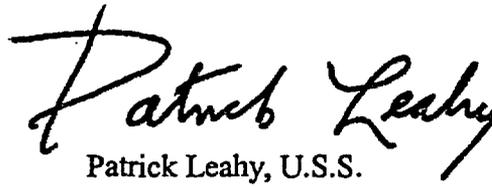
Diaz, pg. 2

We believe that the NRC has the discretion to accommodate our requests. Vermonters need to know that the NRC will address their concerns and questions.

Sincerely,



James M. Jeffords, U.S.S.



Patrick Leahy, U.S.S.



Bernard Sanders, M.C.