

November 19, 2004

Sally Shaw
100 River Road
Gill, MA 01354

Dear Ms. Shaw:

I am responding on behalf of the U.S. Nuclear Regulatory Commission (NRC) to your letter dated October 12, 2004, regarding the engineering inspection performed at the Vermont Yankee Nuclear Power Station (Vermont Yankee). You requested that the NRC release the inspection report to the public and allow sufficient time for perusal before holding a public meeting.

We greatly appreciate your interest in the results of the engineering inspection and understand your desire to provide meaningful comment at the public meeting. The NRC strives to conduct our work in an environment where we balance the openness of our regulatory processes, through the flow of information to interested stakeholders, with the orderly conduct of government business. The NRC has publicly released a summary of the preliminary findings of the engineering inspection. The summary is available on the NRC's Vermont Yankee webpage at <http://www.nrc.gov/reactors/plant-specific-items/vermont-yankee-issues/engineering-inspection.html>.

The NRC staff is working with State and local officials to reschedule the public meeting originally set for November 9 in Vernon, Vermont. Local officials advised the NRC that a larger-than-anticipated audience made them unable to support the public meeting to discuss the inspection results. Because another location could not be located in time to adequately notify the public, the public meeting was postponed. Information on the date and location for the rescheduled meeting will be posted on the NRC's Vermont Yankee webpage. The public will have the opportunity to ask questions or make statements to the NRC staff regarding the inspections during the meeting.

In your letter, you express concern that the NRC did not fulfill certain requests of members of the public and government officials; in particular, the request for an independent safety assessment (ISA) as was performed at Maine Yankee. The NRC decided to conduct the assessment at Maine Yankee because we had significant concerns with conformance to license requirements; a situation that does not exist currently at VY. The NRC concluded that the improved engineering inspection performed at Vermont Yankee, along with the detailed technical review and inspections prescribed by the reactor oversight process, is the most effective method of determining whether Vermont Yankee could safely operate under current and uprated power conditions. To ensure the independence of the team, the NRC selected contractors and NRC staff that had not performed inspections for the NRC at Vermont Yankee within the last two years. In addition, an observer from the State of Vermont accompanied the team.

S. Shaw

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Throughout our review of the extended power uprate requested by Entergy, the NRC has worked hard to ensure that our external stakeholders (which includes the public, state and local governments, and Congress) are fully informed of our actions, and to ensure that we respond to their suggestions. Each request has been, and will continue to be, carefully evaluated in accordance with our practices, regulations, and statutory authority, and balanced against our responsibility to implement the reviews and inspections that support our safety mission.

I hope this letter satisfactorily addresses your concerns.

Sincerely,

/RA/

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

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