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Congress of the United States
Washington, DC 20510

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August 6, 2004

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

Dear Chairman Diaz:

We write in full support of the State of Vermont's recent requests regarding the Nuclear Regulatory Commission's (hereafter the NRC or the Commission) upcoming engineering inspection at Vermont Yankee Nuclear Power Station. We believe these requests will help ensure the integrity of the inspection process and keep the State and the public better informed of the inspection team's activities.

We understand that the NRC inspection will begin next week and extend through the end of August. We appreciate the additional criteria the NRC has adopted to ensure the independence of the inspection team members and would like an opportunity to review their professional experience when the members are announced. We believe that it is very important that the team leader and other members be available, per the State's request, to brief both the Vermont State Nuclear Advisory Panel and the Commissioners of Public Service and Public Safety. We also believe it is important that the NRC schedule a meeting to brief the public on the issues examined and findings of the inspection before the inspection report is finalized.

Finally, we support the State's request for an extension of the public hearing filing deadline. As noticed in the Federal Register on July 1, 2004, the current deadline expires August 29, 2004, well before the completion of the engineering inspection report. We agree with the State that the inspection team's findings should be available to interested parties well before the public hearing filing deadline and believe the deadline should be extended.

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We believe that the NRC has the discretion to accommodate all of these requests and urge that NRC act to do so promptly so that the State can be fully apprised of the process from the beginning. We further believe that granting these requests will be important to the public's acceptance and confidence in the findings of the engineering inspection

We appreciate your prompt attention to our request.

Sincerely,

		
JAMES JEFFORDS U.S. Senator	PATRICK LEAHY U.S. Senator	BERNARD SANDERS U.S. Representative

JAMES H. DOUGLAS
Governor



State of Vermont
OFFICE OF THE GOVERNOR

August 6, 2004

Mr. Nils J. Diaz, Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C., 20555

RE: Vermont Yankee Nuclear Power Station
License No. DPR-28 (Docket No. 50-271)
Technical Specification Proposed Change No. 263
Extended Power Uprate
Temporary Instruction 2515/158

Dear Chairman Diaz:


As the Independent Engineering Assessment inspection team prepares to begin its work next week at the Vermont Yankee Nuclear Power Station, I would like to make several requests that I feel are important to ensure the integrity of the process and public confidence in the outcome.

First, we are pleased that three independent contractors will be assigned to this team. I request that the Nuclear Regulatory Commission (NRC) certify to Vermont's Public Service Commissioner that each of these independent contractors meets the strict objectivity standards required and has no conflict of interest. Second, I request that the NRC make all members of the Independent Engineering Assessment team available for regular briefings with the Vermont State Nuclear Advisory Panel during, and at the completion of, the inspection. Third, I would like NRC to be available for briefings with both the Commissioners of Public Safety and Public Service on an as needed basis to be determined by the State.

Considering the importance of the inspection findings to the safety and security of Vermont's residents, as well as to the future operation of the facility, I also urge the NRC to extend its hearing request period a reasonable time beyond the completion of the special engineering investigation. Such an extension would allow interested parties and the State of Vermont the opportunity to have the findings available before the deadline to request a formal hearing.

I know you appreciate the significance of this engineering inspection to the State of Vermont and its residents and I want to thank you for your consideration of these requests.

Sincerely,


James H. Douglas
Governor

JHD/tbb