

September 23, 2005

The Honorable John F. Kerry  
United States Senator  
One Bowdoin Square  
Tenth Floor  
Boston, MA 02114

Dear Senator Kerry:

I am responding on behalf of the Nuclear Regulatory Commission (NRC) to your letter dated August 12, 2005, by which you forwarded a letter from Ms. Loran Saito expressing her opposition to the proposed power uprate at the Vermont Yankee Nuclear Power Station (Vermont Yankee). Specifically, Ms. Saito raised concerns regarding the age of Vermont Yankee, its safety record, and the potential for the plant to be a target for terrorism. She also expressed her belief that the proposed power uprate has not been adequately tested or evaluated.

With respect to Ms. Saito's concern regarding the age of the facility, the licensee for Vermont Yankee was granted, consistent with NRC regulations, a 40-year operating license in 1972. The NRC requires licensees to test and monitor the condition of safety equipment and to maintain that equipment in reliable operating condition over the operating life of the plant. The NRC also requires licensees to continuously correct deficiencies that could impact plant safety. Over the years, the licensee has replaced or overhauled plant equipment as needed. Where appropriate, the licensee has also upgraded equipment or installed new equipment to replace or supplement original systems. The testing, monitoring, maintenance, and replacement of plant equipment helps to ensure that this equipment will perform its intended safety functions during the 40-year license period.

Ms. Saito's letter expressed her belief that Vermont Yankee has a poor safety record. The NRC requires all licensees to operate their facilities in conformance with NRC regulations and the facility operating license, including the Technical Specifications. The NRC monitors the licensee's compliance with these requirements with on-site resident inspectors and region-based specialist inspectors through the NRC's Reactor Oversight Process (ROP). The NRC's most recent semi-annual assessment of Vermont Yankee, as documented in an NRC letter dated August 30, 2005, stated that all performance indicators showed an acceptable performance level requiring no additional NRC oversight beyond the normal baseline inspections. Plant performance information for Vermont Yankee and the other operating U.S. nuclear power plants can be found on the NRC Web site at <http://www.nrc.gov/NRR/OVERSIGHT/ASSESS/index.html>. Information regarding the ROP can be found on the NRC Web site at <http://www.nrc.gov/reactors/operating/oversight.html>.

Regarding Ms. Saito's concern about the potential for the plant to be a target for terrorism, the NRC has sought to ensure continued protection of the Nation's nuclear power plants since the unprecedented events of September 11, 2001. The NRC has worked in close coordination with other Federal agencies (including the Department of Homeland Security, the Department of Defense, the Department of Energy, the Federal Bureau of Investigation, and the Federal

Aviation Administration), as well as with State governments, and the nuclear industry. We believe the enhancements to nuclear power plant security after the events of September 11, 2001, and the NRC's continuing oversight provide assurance for the continued safe operation of commercial nuclear facilities, including Vermont Yankee. In addition, even before the terrorist attacks on September 11, 2001, nuclear power plants were considered among the best defended and most hardened facilities of the Nation's critical infrastructure.

With respect to the NRC's review of the proposed power uprate for Vermont Yankee, the NRC staff has not yet made any decision regarding the acceptability of this change to the facility. To date, the staff has spent more than 7,000 hours reviewing the licensee's analysis and justification for the proposed change. The review includes evaluating the testing that would be performed during power ascension to the uprated power conditions. The purpose of the test program is to demonstrate that the structures, systems, and components will perform satisfactorily in service at the proposed power level. In addition to the technical review being performed, the NRC staff has spent more than 900 hours inspecting changes associated with the proposed power uprate.

The NRC's primary mission is to ensure adequate protection of public health and safety. The NRC will not approve the Vermont Yankee power uprate, or any proposed change to any plant license, unless our technical staff can conclude that adequate protection of public health and safety will be ensured. We have taken great care in conducting the technical reviews and inspections regarding the Vermont Yankee power increase in order to ensure that these reviews and inspections will identify and address any potential safety concerns for operating the plant at uprated power conditions. Our detailed technical review, coupled with the associated program of inspections, will provide us with the information we need to make a decision on the safety of operation of Vermont Yankee at the proposed power level.

I hope that this letter satisfactorily addresses the concerns of your constituent.

Sincerely,

*/RA/*

Luis A. Reyes  
Executive Director  
for Operations

cc: Ms. Loran Saito

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Sincerely,  
*/RA/*  
 Luis A. Reyes  
 Executive Director  
 for Operations

cc: Ms. Loran Saito

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