

December 16, 2005

The Honorable John W. Olver  
United States House of Representatives  
Washington, D.C. 20515

Dear Congressman Olver:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated November 9, 2005, in which you expressed concerns regarding the proposed power uprate at the Vermont Yankee Nuclear Power Station (Vermont Yankee). Specifically, you stated that it was your understanding that the proposed uprate would subject plant components, such as the steam dryer, to increased stresses. Your letter urged the NRC to conduct a comprehensive independent safety assessment of Vermont Yankee using the same methodology and scope that was applied at Maine Yankee.

In a letter signed by Chairman Nils J. Diaz to you dated May 4, 2004, enclosed a copy of a letter he sent to the Vermont Public Service Board (PSB) explaining the NRC's approach in response to the PSB's request for an independent engineering assessment of Vermont Yankee. As noted in the May 4, 2004, letter, the NRC staff concluded that the detailed technical review of the proposed amendment, combined with the inspections prescribed by the reactor oversight process, as enhanced by an improved engineering inspection was determined to be the most effective method of informing the staff decision on whether Vermont Yankee could operate safely under uprated power conditions.

On November 2, 2005, the NRC staff issued its draft safety evaluation documenting the results of the technical review for the proposed power uprate. As discussed in the safety evaluation, in response to damage experienced to steam dryers at other nuclear power plants, Entergy has modified the steam dryer at Vermont Yankee to improve its capability to withstand potential adverse flow effects that could result from operation at power uprate conditions. In addition, Entergy has recently completed its evaluation of the indications of small cracks observed during the fall 2005 refueling outage. None of the identified indications required repairs and Entergy concluded that all existing indications will not affect the steam dryer structural integrity at the current power conditions or at the proposed power uprate conditions. As noted in the safety evaluation, Entergy has committed to monitor the indications during future inspections to ensure there is no further change to the individual indications.

During a meeting of the NRC's Advisory Committee on Reactor Safeguards (ACRS) Subcommittee on Power Uprates, held in Brattleboro, Vermont on November 15 and 16, 2005, the NRC staff described the results of several technical areas included in the draft safety evaluation and the results of the engineering inspection. As discussed during this meeting, the NRC staff has spent over 9,000 hours on the technical review of the proposed power uprate. In addition, over 900 hours were spent on the engineering inspection effort. The staff noted during that meeting that it considered the Vermont Yankee engineering inspection to have been responsive to the PSB's request to conduct an independent assessment and provide the results to the ACRS for their review.

The ACRS Subcommittee on Power Upgrades met again on November 29 and 30, 2005, to discuss the areas of the Vermont Yankee power upgrade review not covered during the first meeting. The ACRS full committee met to discuss the proposed upgrade in a meeting on December 7, 2005. The NRC staff is in the process of incorporating ACRS comments and preparing a final safety evaluation. The final safety evaluation is currently scheduled to be issued by the end of February 2006.

The NRC's primary mission is to ensure adequate protection of public health and safety. The NRC will not approve the Vermont Yankee power upgrade, or any proposed change to any plant license, unless our technical staff can conclude that it has reasonable assurance 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 upgraded 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 trust that this letter satisfactorily addresses your concerns.

Sincerely,

*/RA/*

Luis A. Reyes  
Executive Director  
for Operations

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Luis A. Reyes  
Executive Director  
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