

EDO Principal Correspondence Control

FROM: DUE: 03/23/06

EDO CONTROL: G20060230
DOC DT: 03/08/06
FINAL REPLY:

Senator Patrick Leahy
Senator Jim Jeffords
Representative Bernard Sanders

TO:

Chairman Diaz

FOR SIGNATURE OF :

** GRN **

CRC NO: 06-0130

Reyes, EDO

DESC:

Vermont Yankee

ROUTING:

Reyes
Virgilio
Kane
Silber
Dean
Burns
Collins, RI
Bollwerk, ASLBP
Cyr, OGC
Schmidt, OCA
Shoop, OEDO

DATE: 03/09/06

ASSIGNED TO:

CONTACT:

NRR

Dyer

SPECIAL INSTRUCTIONS OR REMARKS:

Coordinate response with Region I, OGC & ALSBP.
POC: Undine Shoop, OEDO

Template: SECY-017

E-RIDS: SECY-01

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: Mar 09, 2006 10:11

PAPER NUMBER: LTR-06-0130 LOGGING DATE: 03/09/2006
ACTION OFFICE: EDO

AUTHOR: REP Patrick Leahy
AFFILIATION: CONG
ADDRESSEE: Nils Diaz
SUBJECT: Vermont Yankee

ACTION: ~~Signature of Chairman~~ EDO Signature
DISTRIBUTION: RF, OCA to Ack

LETTER DATE: 03/08/2006
ACKNOWLEDGED: No
SPECIAL HANDLING: ~~Comm. Correspondence~~

NOTES:
FILE LOCATION: ADAMS
DATE DUE: 03/23/2006 DATE SIGNED:

EDO --G20060230

Congress of the United States

Washington, D.C. 20515

March 8, 2006

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

Dear Chairman Diaz

News reports recently indicated the Nuclear Regulatory Commission (NRC) staff took action to halt power ascension at Vermont Yankee at 105 percent power to evaluate vibrations detected in the plant's main steam line. We remain concerned that we continue to learn of events at the facility from breaking news accounts, rather than from the Commission directly. We request that we be given regular updates regarding the implementation of the uprate, and that we be informed when information regarding the uprate is publicly released.

Further, we write to seek clarification about whether the Commission staff took an action in this case that is outside the scope of the approved uprate monitoring plan. It is our understanding that the recent uprate approval included a monitoring plan that established that each 5 percent increment, from 5 to 20 percent, would be achieved, held and monitored for 96 hours before proceeding to the next power level. Further, the plan also addressed how vibrations of this type, should they be detected, are to be monitored. It appears Vermont Yankee will not proceed with the next scheduled 5 percent increment increase for at least several more days, raising questions about whether this detected vibration exceeded the scope of Entergy's approved uprate plan, and the matter should be fully and clearly explained.

Third, we write to request that the NRC publicly clarify whether the detected vibration has a potential impact on the safe and reliable operation of the plant. The press accounts describe steam dryer issues at other uprated plants, and Vermonters should know from the regulator whether the detected vibrations have safety significance. We further want to know how the NRC will respond in the event of a safety or reliability related finding as the uprate proceeds. We believe it is imperative that the plant's increased power generation does not result in safety or reliability problems.

In addition, as the public and the State of Vermont have requested, the NRC has agreed to hold formal hearings on the Yankee Power uprate. The NRC's Atomic Safety and Licensing Board (ASLB) granted those requests in November 2004. We have asked the ASLB to set a hearing schedule immediately. The outcome of the hearings has the potential to affect the terms and conditions of the uprate, and Vermonters have a right to the due process they deserve. We continue to urge the Commission to maintain its ability to review and implement any ALSB decision, and to do so without delay.

The Honorable Nils J. Diaz
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We look forward to a prompt reply.

Sincerely,

Patrick Leahy

Jim Jeffords

Bob Sant