

November 30, 2007

The Honorable John E. Sununu  
United States Senate  
Washington, D.C. 20510

Dear Senator Sununu:

I am responding on behalf of the Nuclear Regulatory Commission (NRC) to your letter dated November 2, 2007. You forwarded a letter from Ms. Marilyn A. Britton that expressed concern about renewal of the operating license for the Vermont Yankee Nuclear Power Station. Specifically, Ms. Britton expressed concern that Entergy, the licensee for Vermont Yankee, has not chosen to undergo an independent inspection of the plant. Ms. Britton suggested that you support legislation introduced by Senator Sanders that would require an independent safety assessment (ISA) under certain conditions. Ms. Britton also expressed concerns about the plant's 2006 power output increase, the collapse of part of a cooling tower cell at the plant, and NRC oversight of nuclear power plant security.

The NRC requires licensees to test and monitor the condition of safety equipment and to maintain that equipment in a safe and reliable operating condition. The NRC also requires licensees to identify and expeditiously correct deficiencies that could impact plant safety. Over the years, the licensee has replaced or repaired equipment at Vermont Yankee as needed to assure safe plant operation. 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 provides assurance that the equipment will perform its intended safety functions. For license renewal, the NRC requires licensees to perform a comprehensive evaluation of relevant structures and components and to establish additional requirements for addressing the effects of long-term aging prior to entering the renewal period.

The NRC monitors licensee performance and compliance with regulatory requirements using the Reactor Oversight Process (ROP). The NRC believes the ROP is the best method of ensuring that licensees operate their facilities in a manner that protects public health and safety. The ROP provides more comprehensive oversight than an ISA because an ISA can only provide a one-time "snapshot" inspection, whereas the ROP provides for continual evaluation. Furthermore, under the ROP, plants that show symptoms of declining performance receive increased levels of NRC inspection. Overall, the current ROP inspection procedures and NRC review standards provide similar coverage of key aspects of an ISA, with greater attention given to safety culture and better focus on potentially risk-significant problems.

The NRC staff expended significant inspection and technical review efforts associated with the plant's 2006 power output increase. As part of its technical review, NRC staff evaluated tests that the licensee performed at pre-determined power levels and power was not increased until the staff concluded that the test results demonstrated the plant could operate safely at the increased power level. Based on these evaluations, NRC concluded the Vermont Yankee power output increase met all required safety and environmental protection criteria.

Ms. Britton's concern about the collapse of part of a cooling tower cell at Vermont Yankee is understandable. Although the cooling tower cell that partially collapsed has no safety-related function, I can understand how the photographs of the collapsed cell were unsettling to the residents living near the plant. Entergy has taken actions to repair the damaged cell and to closely inspect the cell of the cooling tower that performs a safety-related function, which was not damaged. In addition, Entergy has enhanced its inspection and maintenance program for the remainder of the cooling towers. The NRC continues to oversee Entergy's corrective actions in this matter.

Ms. Britton also expressed concern about NRC's response to reports of inattentive security officers at a nuclear plant in Pennsylvania. I want to assure you that the NRC has engaged in a very thorough inspection effort to address the issue at this specific facility. The NRC has dispatched an Augmented Inspection Team to collect, analyze, and document factual information and evidence sufficient to determine the causes, conditions, and circumstances pertaining to the issue. NRC's review of these issues is ongoing. NRC will monitor closely the corrective actions taken by the licensee and take appropriate action as necessary. In an effort to prevent similar incidents at other NRC licensees' facilities, NRC issued a security advisory on September 27, 2007, reemphasizing NRC requirements regarding security officer attentiveness while on duty. In addition, NRC resident inspector oversight of the security forces at all nuclear power plants has been enhanced through random, unannounced inspections at security posts, including inspections on weekends and backshifts. The NRC continues to actively monitor security force performance at all sites.

NRC's mission is to ensure the protection of public health and safety, promote the common defense and security, and protect the environment. NRC will continue to regulate ongoing and future activities at Vermont Yankee to accomplish this mission.

I trust that this letter satisfactorily addresses the concerns of your constituent. Ms. Britton can learn more about the license renewal process, the ROP, and nuclear plant security at <http://www.nrc.gov/reading-rm/doc-collections/fact-sheets>.

Sincerely,

*/RA/*

Luis A. Reyes  
Executive Director  
for Operations

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Luis A. Reyes  
Executive Director  
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