

February 29, 2008

Richard Blumenthal, Attorney General
State of Connecticut
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Dear Mr. Blumenthal:

On behalf of the U.S. Nuclear Regulatory Commission (NRC) staff, I am responding to your letter of January 18, 2008, regarding your request for the NRC to conduct a complete and independent verification of the final safety evaluation reports (SER), past inspection reports, and all technical reviews associated with license renewal applications (LRAs) of the Indian Point, Oyster Creek, Vermont Yankee, and Pilgrim Nuclear Power Stations.

Your letter references the Office of the Inspector General (OIG), Audit of the NRC's License Renewal Program, OIG-07-A-15, dated September 6, 2007, and indicates your concern that there is little or no documentary evidence that the NRC staff has performed any meaningful independent reviews of the technical information provided by applicants in support of their license renewal requests.

It is important to note that the OIG findings were specific to the documentation of the technical reviews, not the sufficiency of the technical reviews. The OIG found no systemic defects in the license renewal process and concluded that, "overall, NRC has developed a comprehensive license renewal process to evaluate applications for extended periods of operation." Nothing in the OIG Report indicated a threat to public health and safety. However, the OIG did have recommendations to "refine the report quality assurance process" which would strengthen the program operations. Specifically, establishing management controls to gauge the effectiveness of report reviews and adding additional quality assurance steps.

To address your concern of an independent review, the following highlights the NRC's rigorous review of a LRA. The NRC typically expends over 20,000 hours conducting its license renewal reviews. These reviews include in-office reviews and on-site audits. The NRC also conducts field inspections to verify that the applicant's aging management programs (AMPs) are adequately implemented. As part of the review, the NRC staff asks approximately four hundred questions, either through request for information or questions during the audit.

During the onsite audits, the staff reviews the information in the application to make a finding on the adequacy of the applicant's AMPs. The results of the audits are documented in the NRC's Agencywide Documents Access and Management System (ADAMS), the NRC's public information system. Determinations of acceptability are based on staff review guidance, consistency with the Generic Aging Lessons Learned (GALL) Report (NUREG-1801, Revision 1), and compliance with Title 10 of the *Code of Federal Regulations* Part 54 (10 CFR Part 54).

The staff's review of the LRAs made by experienced and knowledgeable NRC staff and is conducted in accordance with this established practice. In addition to the NRC staff's review, the Advisory Committee on Reactor Safeguards conducts an independent review of the safety aspects of LRAs and makes recommendations directly to the Commission.

The implementation procedures for the AMPs also are reviewed at the site by a regional inspection team independent of the safety review being performed by staff in the Office of Nuclear Reactor Regulation (NRR). The results of the onsite review are documented in ADAMS in a regional inspection report. The regional team makes a separate recommendation to the Director of NRR with regard to the suitability of the applicant's proposals.

The NRC has already implemented some improvements to address the OIG findings. These improvements were implemented during the staff's review of recent LRAs. Before renewing any license, the NRC will ensure that the safety of the operating plant will continue to be maintained by making certain that aging effects will be adequately managed and the licensing bases related to the present plant design and operation will be maintained.

If you have any additional questions regarding the license renewal process, please have your staff contact Mr. Don Yee of my staff at 301-415-1124.

Sincerely,

/RA/

Pao-Tsin Kuo, Director
Division of License Renewal
Office of Nuclear Reactor Regulation

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Adams Accession Nos.: **(Package) ML080590605; (Incoming) ML080320283; (Response) ML080590443**

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