

EDO Principal Correspondence Control

FROM: DUE: 04/21/08

EDO CONTROL: G20080248

DOC DT: 04/08/08

FINAL REPLY:

Senator Patrick J. Leahy  
Senator Bernard Sanders  
Representative Peter Welch

TO:

Chairman Klein

FOR SIGNATURE OF :

\*\* PRI \*\*

CRC NO: 08-0203

Chairman Klein

DESC:

ROUTING:

Vermont Yankee Nuclear Power Plant - Independent  
Safety Assessment (EDATS: SECY-2008-0200)

Reyes  
Virgilio  
Mallett  
Ash  
Ordaz  
Burns  
Wiggins, NRR  
Cyr, OGC  
Schmidt, OCA  
Shoop, OEDO

DATE: 04/09/08

ASSIGNED TO:

CONTACT:

RI

Collins

SPECIAL INSTRUCTIONS OR REMARKS:

Ref. G20080173.

Template: SECY-017

E-RIDS: SECY-01

# EDATS

Electronic Document and Action Tracking System

**EDATS Number:** SECY-2008-0200

**Source:** SECY

## General Information

**Assigned To:** Region I

**OEDO Due Date:** 4/21/2008 5:00 PM

**Other Assignees:**

**SECY Due Date:** 4/23/2008 5:00 PM

**Subject:** Vermont Yankee Nuclear Power Plant - Independent Safety Assessment

**Description:**

**CC Routing:** NRR; OCA; OGC

**ADAMS Accession Numbers - Incoming:** NONE

**Response/Package:** NONE

## Other Information

**Cross Reference Number:** G20080248, LTR-08-0203,  
G20080173

**Staff Initiated:** NO

**Related Task:**

**Recurring Item:** NO

**File Routing:** EDATS

**Agency Lesson Learned:** NO

**Roadmap Item:** NO

## Process Information

**Action Type:** Letter

**Priority:** Medium

**Signature Level:** Chairman Klein

**Sensitivity:** None

**Urgency:** NO

**OEDO Concurrence:** YES

**OCM Concurrence:** NO

**OCA Concurrence:** NO

**Special Instructions:** Ref. G20080173.

## Document Information

**Originator Name:** Sen P. Leahy/Sen B. Sanders/Rep. P.  
Welch

**Date of Incoming:** 4/8/2008

**Originating Organization:** Congress

**Document Received by SECY Date:** 4/9/2008

**Addressee:** Chairman Klein

**Date Response Requested by Originator:** NONE

**Incoming Task Received:** Letter

OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

Date Printed: Apr 09, 2008 10:01

---

**PAPER NUMBER:** LTR-08-0203 **LOGGING DATE:** 04/09/2008  
**ACTION OFFICE:** EDO  
  
**AUTHOR:** SEN Patrick Leahy  
**AFFILIATION:** CONG  
**ADDRESSEE:** Chairman Klein  
**SUBJECT:** Vermont Yankee nuclear power plant  
  
**ACTION:** Signature of Chairman  
**DISTRIBUTION:** RF, OCA, to Ack  
  
**LETTER DATE:** 04/08/2008  
**ACKNOWLEDGED** No  
**SPECIAL HANDLING:** Commission Correspondence  
**NOTES:**  
**FILE LOCATION:** ADAMS  
**DATE DUE:** 04/23/2008 **DATE SIGNED:**

EDO --G20080248

**Congress of the United States**  
Washington, DC 20510

April 8, 2008

U.S. Nuclear Regulatory Commission  
Mail Stop O-16G4  
Washington, DC 20555-0001

Dear Chairman Klein, Commissioner Jaczko, Commissioner Lyons, and Commissioner Svinicki:

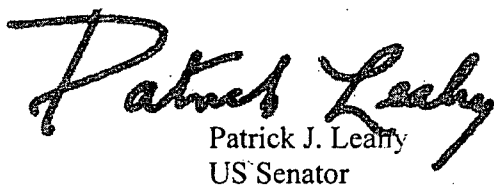
We write to follow up on the letter you received a letter from Governor Douglas regarding the Vermont Yankee nuclear power plant, located in Vernon, Vermont.

We agree with Governor Douglas's assertion that, "The operation of Vermont Yankee is now at a critical juncture... events have shaken the confidence of Vermonters and our neighbors in New Hampshire and Massachusetts about the safety and reliability of the plant." In his letter, the Governor requests "that the NRC conduct a comprehensive reliability and safety assessment of Vermont Yankee." Unfortunately, based on a briefing by representatives from NRC Region I as well as from NRC Headquarters, we are concerned NRC is only contemplating the acceleration of an already-scheduled inspection. More specifically, we understand NRC is considering conducting the already-required Component Design Basis Inspection a year early, and adding an NRC hired contractor(s) as a way to provide greater assurance to Vermonters who are deeply concerned with the operation of Vermont Yankee. As you are well aware, the Component Design Basis Inspection is part of the NRC's current Reactor Oversight Process (ROP) and thus, not the additional assessment requested by the Congressional Delegation or the Governor.

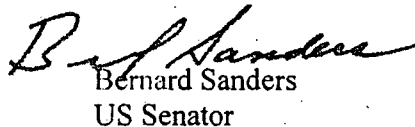
While we welcome greater attention to the Vermont Yankee plant through the established NRC inspection process, we have strong concerns that simply accelerating NRC's current inspection procedures will not meet the level of scrutiny that Vermonters expect and deserve. As evidenced by federal legislation we have introduced in both the United States Senate and House of Representatives, and Governor Douglas' press statement on March 12, 2008 in support of an Independent Safety Assessment, more must be done given the plant is seeking an additional 20-year license. We believe that there needs to be a comprehensive inspection, done outside of the current ROP, completed by qualified individuals, including those who are independent of the NRC and Entergy Corporation. We appreciate the NRC's apparent interest in accelerating an already-scheduled inspection; however such oversight must meet a standard that resembles the combined efforts undertaken by the Congressional Delegation, Governor Douglas and our colleagues in the Vermont State Senate and House.

We understand this may represent a change to your current protocol and procedures, but we strongly believe more extensive independent reviews of Vermont Yankee are required. We believe this process must be deeper and wider than simply accelerating the current ROP inspection process. We ask that you give this request strong and thoughtful consideration and develop an independent safety assessment that is specifically tailored to Vermont Yankee and which will address public concerns. We believe developing such an independent safety assessment is not only necessary for Vermont but could serve as an inspection model for future license extension requests from other plants around the country.

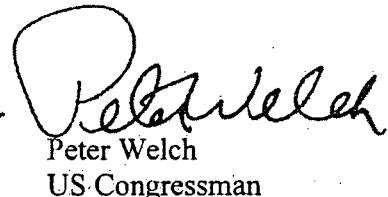
Sincerely,



Patrick J. Leahy  
US Senator



Bernard Sanders  
US Senator



Peter Welch  
US Congressman

cc: Governor Jim Douglas  
Representative Gaye R Symington, Speaker Vermont House of Representatives  
Senator Peter Shumlin, Vermont Senate President Pro Tem