



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION I**  
2100 RENAISSANCE BOULEVARD, SUITE 100  
KING OF PRUSSIA, PENNSYLVANIA 19406-2713

September 12, 2012

Ms. Elizabeth H. Miller  
Commissioner  
State of Vermont  
Department of Public Service  
112 State Street  
Montpelier, VT 05620-2601

Dear Commissioner Miller:

Thank you for your letter dated August 14, 2012, regarding your concerns related to recent human performance issues identified at the Vermont Yankee (VY) Nuclear Power Station and whether these issues should require additional NRC response. Also, it was a pleasure to meet with you and your staff on August 28, 2012, to discuss these and other topics of interest related to Vermont Yankee. Exchanges such as this conform to our common responsibility to protect public health and safety.

During our meeting, we discussed how the NRC's Reactor Oversight Process (ROP) is used to inspect and assess the safety performance of operating nuclear reactors and the NRC's process for determining a substantive cross-cutting issue as described in our response letter to you dated April 4, 2012. We also provided you information that illustrated that Vermont Yankee is not an outlier in human performance issues when compared to nuclear power plants in NRC Region I.

The NRC considers certain aspects of licensee performance that are seen as "cross-cutting" and potentially impacting more than one cornerstone of the seven cornerstones of safety. Aspects of licensee performance such as human performance, the establishment of a safety conscious work environment, and the effectiveness of licensee problem identification and resolution programs, although not identified as specific cornerstones, are still important to meeting the NRC's safety mission. The NRC identifies substantive cross-cutting issues to inform licensees that the NRC has a concern with performance in the cross-cutting area and to encourage the licensee to take appropriate actions before more significant performance issues emerge. For substantive cross-cutting issue to exist there must be (1) four or more findings with the same cross-cutting aspect in the assessment period (called a cross-cutting theme), and (2) the NRC staff has a concern with the licensee's scope of efforts or progress in addressing the cross-cutting theme.

As part of our inspection efforts as they specifically apply to human performance at VY, in June 2012 we reviewed VY's quarterly trend reports and determined that VY had appropriately identified a trend in the human performance area, initiated condition reports for the trend, and had ongoing corrective actions described within the condition reports to improve station performance in this area. Additionally, we plan to conduct a PI&R follow-up inspection in October 2012 focused on corrective actions to prevent human errors when taking equipment out of service in response to the loss of shutdown cooling in October 2011, and the trip of the "A"

emergency diesel generator fuel rack in November 2011. We welcome the State Engineer to observe those inspection activities as per our Memorandum of Understanding.

The NRC recently completed its mid-cycle performance review of Vermont Yankee on August 14, 2012. The NRC reviewed the most recent quarterly Performance Indicators (PIs) in addition to inspection results and enforcement actions from July 1, 2011, through June 30, 2012. We discussed all aspects of the licensee's performance including those human performance issues you also described in your letter. While VY has not exceeded the "Green" threshold for any of its inspection findings, and thus did not meet the criteria for a substantive cross-cutting issue, as described above, both VY and the NRC have taken appropriate actions in response to the human performance issues that have been observed at the site. However, at this point, performance does not warrant additional NRC oversight other than those conducted in our baseline inspections. We documented our mid-cycle review in a letter to Entergy Nuclear dated September 4, 2012.

Be assured the NRC is thoroughly evaluating VY's human performance issues on a continuing basis, as is the licensee. We continue to monitor VY's ongoing efforts to improve station performance in this area and will continue to monitor and assess their performance to ensure the protection of public health and safety and the environment. Again, it was nice meeting with you and your staff and should you have any additional questions or would like to further discuss this issue, you may contact me at 610-337-5299 or Ronald Bellamy, Branch Chief at 610-337-5200.

Sincerely,

**/RA/**

William M. Dean  
Regional Administrator

cc:

S. Hofmann, Deputy Commissioner, State of Vermont  
U. Vanags, Vermont State Engineer

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Sincerely,  
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William M. Dean  
Regional Administrator

cc:  
S. Hofmann, Deputy Commissioner, State of Vermont  
U. Vanags, Vermont State Engineer

**Distribution:**  
R. Bellamy, Branch Chief  
N. McNamara, SLO  
S. Rutenkroger, Resident Inspector  
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