

December 6, 2004

The Honorable Stephen Kulik
Massachusetts House of Representatives
Boston, Massachusetts 02133-1054

Dear Mr. Kulik:

I am responding on behalf of the U.S. Nuclear Regulatory Commission (NRC) to your letter dated October 13, 2004, regarding the engineering team inspection that was recently conducted at the Vermont Yankee nuclear power plant. In your letter, you requested that the NRC release the results of the engineering inspection before the public meeting that will be held with the licensee to discuss the inspection. You indicated that the public should have an opportunity to review the results so that they could ask informed questions and provide meaningful feedback on the results of the engineering inspection.

On November 5, 2004, the NRC made public the preliminary results of the engineering inspection, including the preliminary findings and a characterization of the significance and a brief basis for each finding. This information was provided to the licensee and posted on the NRC website to enable interested stakeholders to access the information easily. The preliminary results were issued to allow stakeholders time to review them in preparation for a public meeting and to allow the licensee an opportunity to provide input before issuance of the final report in accordance with our normal reactor oversight process.

It is our normal practice to hold a scheduled exit meeting with the licensee following the completion of an inspection. Exit meetings are business meetings between the NRC and licensee that serve to communicate preliminary findings to licensee management so that they are informed and can take prompt corrective action if necessary. For the engineering inspection recently conducted at the Vermont Yankee nuclear power plant, however, the objectives of the exit meeting have been accomplished through initial debriefs at the completion of the on-site inspection activities, and by the issuance of the preliminary results of the inspection. In addition, a teleconference was held between the NRC and licensee management on November 23, 2004, to provide an opportunity for the licensee to provide additional information before a final inspection report is prepared. Because the objectives of the exit meeting have been accomplished, the NRC staff will not hold a formal exit meeting with the licensee for this inspection.

The final inspection report has been issued and made publicly available on the NRC website. The NRC has worked with the Vermont State Nuclear Advisory Panel (VSNAP) to schedule a public meeting to discuss the inspection results on December 16, 2004, in Brattleboro, VT. During this meeting, the NRC staff plans to also discuss the results of the special inspection that was conducted in response to the two misplaced spent fuel rod segments at the Vermont Yankee nuclear power plant. Members of the public will be able to ask questions and make statements to the NRC regarding both inspections. At this meeting, NRC staff will be able to discuss the review process for the Vermont Yankee power uprate application and how the

results of the engineering inspection will be considered in that process. Because the staff will not have completed its review of the Vermont Yankee power uprate application, it would be premature to engage in discussion of the power uprate proposal at this meeting. The staff expects to hold a separate meeting in the future to discuss the proposed power uprate.

I want to assure you that NRC is making every effort to be open in dealing with our stakeholders regarding our activities at the Vermont Yankee nuclear power plant. If you have any further questions, please feel free to contact me.

Sincerely,

/RA/

Samuel J. Collins
Regional Administrator

S. Kulik

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