

*RF*  
**From:** Lawrence Doerflein  
**To:** Brian Holian; Cliff Anderson; David Pelton; Diane Screnci; Donald Florek; Frank Arner; Jeffrey Jacobson; Neil Sheehan; Richard Barkley; Robert Bores; Wayne Lanning  
**Date:** 8/11/04 12:43PM  
**Subject:** DRAFT RESPONSE TO VT GOV

Please provide comments to Arner who is handling finalizing RI input.

Thanks

*c-92*

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**Subject:** DRAFT RESPONSE TO VT GOV  
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**From:** Lawrence Doerflein

**Created By:** LTD@nrc.gov

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Region I input to response to governor of Vermont letter

This letter responds to the requests in your letter to Chairman Diaz dated August 6, 2004.

Your first request involved the independent contractors participating on the NRC's pilot engineering inspection at Vermont Yankee. As you mention in your letter, there are three contractors assigned to the inspection team which began the onsite portion of the inspection the week of August 9, 2004. Each of the contractors has significant design experience, and before they were assigned to the inspection team, their independence was verified. Specifically, we verified that the contractors had: (1) never been directly employed by Entergy or Vermont Yankee; (2) not performed contract work for Vermont Yankee or Entergy within the last two years; and (3) not performed inspections for the NRC at Vermont Yankee within the last two years.

Your second and third requests involved having the entire inspection team available for regular briefings with the Vermont State Nuclear Advisory Panel (VSNAP) and having the NRC available for briefings of the Commissioners of Public Safety and Public Service on an as needed basis, respectively. We are willing to participate in such briefings; however, it must be understood that the NRC cannot discuss the results of the inspection in a public forum prior to the completion of the inspection, and neither can the State representatives discuss the results in accordance with a signed protocol agreement between the NRC and the State of Vermont. Also, the number of such briefings needs to be evaluated in order not to impact the effectiveness and efficiency of the inspection team.

The Region I Office has discussed inspection team briefings with State representatives, including the limitations discussed above. As you are aware, there is a State observer participating on the engineering team who can provide status briefings to the Commissioner of Public Service as needed. The NRC can make the inspection team leader available for weekly status briefings via a telephone conference to the Commissioners of Public Safety and Public Service. We are also working with State representatives to arrange a briefing of the VSNAP. It is expected that this briefing would be conducted by the inspection team leader with available team members in attendance. As discuss above, the purpose of this meeting would be to discuss the inspection approach, not the results. Finally, we are planning to conduct a public exit meeting in the local area at the conclusion of the inspection to provide the results of the inspection.