

50-245/336/423



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

October 3, 1996

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Mr. Charlie Luxton
Ms. Susan Luxton
180 Great Neck Road
Waterford, Connecticut 06385

Dear Mr. and Ms. Luxton:

I am responding to your letter of August 14, 1996, regarding the Millstone Nuclear Power Station in Waterford, Connecticut, and your perception that the Independent Corrective Action Verification Program (ICAVP) for Millstone will not be truly independent. You also expressed the view that holding a meeting between the NRC staff and representatives of Northeast Nuclear Energy Company in Rockville, Maryland, rather than near the Millstone site, undermined the Commission's commitment to public involvement in the restart process. I want to assure you that the Commission's objectives at Millstone are to ensure that all three units can be operated safely and in compliance with NRC regulations, and that public confidence is restored in both the NRC's oversight and the licensee's operation of the plant.

I regret that the location of the August 12 meeting gave the appearance that the NRC was not interested in public involvement in the process. Although the meeting was announced and open to public observation, the NRC staff recognized that it would be difficult for interested members of the public to attend. For that reason, the meeting was transcribed. A copy of the transcript is enclosed for your information and copies will be available for viewing at the local public document room. While the staff has tried to hold many of the recent meetings between the NRC and the licensee near the Millstone site, occasionally meetings are held at the NRC's Headquarters or Region I offices to accommodate the schedules of senior agency officials. The primary intent of the August 12 meeting was for senior agency management to convey to the licensee NRC requirements for the ICAVP. The NRC considered that this important message could best be expressed by senior NRC managers from our Headquarters office.

As you may know, the ICAVP is modeled after the Independent Design Verification Program (IDVP), which is described in the enclosed NRC Inspection Manual Chapter (IMC) 2535, "Design Verification Programs." The IDVP reviews were established to gain additional confidence that the design process for a facility effectively implemented NRC regulations and other licensing design commitments made by an applicant for an operating license. The ICAVP will assess whether the corrective actions implemented by the licensee to identify and resolve design and configuration control problems at the Millstone plants are effective. The ICAVP will also provide additional confidence that the as-modified condition of the plants and the revised design control processes implement NRC regulations and other licensing design commitments made by the Northeast Nuclear Energy Company.

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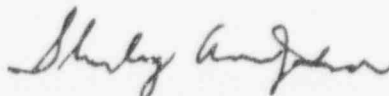
[Originated By: J. Andersen, NRR]

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Although NRC anticipates high-quality reviews from the Millstone ICAVP, the NRC staff will oversee the process to ensure the quality and independence of the reviews. The NRC staff will also review and approve the organization and individual team members selected for the Millstone ICAVP. The staff stated that the factors it will consider in evaluating the independence of each team member will include, but not be limited to, whether the individual has been involved in design reviews for the licensee and whether the individual has any financial interest in Northeast Utilities (NU). The staff will also review and approve the ICAVP review plan before it is implemented. The ICAVP team will concurrently report its findings to the NRC and the licensee and will be required to comment on the licensee's proposed resolution of the team's findings. To help ensure independence, the ICAVP reviews will be conducted, to the extent feasible, in the contractors' offices and not at the Millstone site. Contact between the ICAVP team and the licensee or other licensee contractors will be controlled by a protocol that is being developed. Additionally, an NRC Headquarters inspection team will oversee the licensee's resolution of the ICAVP findings. This oversight team is being led by Eugene Imbro, an NRC senior manager experienced in conducting and overseeing independent assessment programs. The NRC has also encouraged the Connecticut state government and the Connecticut Nuclear Energy Advisory Council to observe and provide comments to the NRC oversight team.

The Commission has and will continue to take appropriate steps to ensure that the public has the opportunity to raise any questions it may have about the evaluation process or the substantive technical issues being addressed in the restart process. As you are undoubtedly aware, the staff met with interested members of the public in East Lyme, Connecticut, on August 20, 1996, to obtain public comments on the licensee's plans for resolving issues, including design control problems at Millstone. The NRC staff is also developing its plans for overseeing the licensee's ICAVP before restart of the Millstone units. On September 24, 1996, the NRC staff held a meeting with NU to discuss the conduct and NRC oversight of the ICAVP. This meeting was open to the public and took place at 1:00 p.m. at the Leland F. Sillin, Jr., Nuclear Training Center in Waterford, Connecticut. At 7:00 p.m. on the same day, the NRC also held a meeting with the public at the Waterford Town hall, Waterford, Connecticut, to discuss the ICAVP. Throughout the ICAVP process, the NRC staff will conduct public meetings in the vicinity of the Millstone site, including meetings with the licensee, to discuss the licensee's restart plans and the results of the NRC's ICAVP oversight inspection.

Sincerely,



Shirley Ann Jackson

- Enclosures: 1. NRC Inspection Manual
Chapter 2535
2. Transcript of August 12, 1996
Meeting

DISTRIBUTION: for letter to Mr. and Ms. Luxton dated October 3, 1996.

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