

Congress of the United States
Washington, DC 20515

March 31, 2004

The Honorable Nils J. Diaz
Chairman
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Mr. Chairman:

We write in response to the U.S. Nuclear Regulatory Commission's (the NRC or the Commission) letter to Senators Jeffords and Leahy of March 29, 2004.

We thank the NRC for responding to the Senators' request and scheduling a public meeting in Vernon today to answer Vermonters' questions regarding the Vermont Yankee uprate. However, your March 29, 2004 letter addresses the issue of an independent engineering assessment at Vermont Yankee. The letter is widely perceived in our state as a formal denial of the Vermont Public Service Board's (PSB) March 15, 2004 request for an independent engineering assessment. As you know, the PSB has asked NRC to conduct such an assessment at Vermont Yankee as a condition of the state-issued Certificate of Public Good.

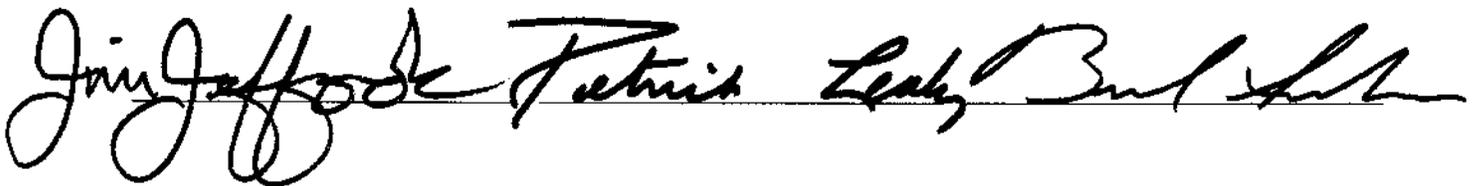
The PSB has not received a written response directly from the NRC on its independent engineering assessment request. Indirect communication has created the appearance that the NRC has dismissed the PSB's concerns without full review. As the state agency of jurisdiction, the PSB is entitled to a written response to its correspondence. We request that one be issued expeditiously.

We remind you that the NRC has discretionary authority to conduct audits on technical matters. This authority allows the Commission to perform audits using experts independent of any recent or significant regulatory oversight responsibility at Vermont Yankee. We believe the NRC's letter to us did not foreclose this option, and we strongly urge the NRC to exercise this authority to address the issues raised by the PSB in its March 15, 2004 letter.

We expect the NRC to address the issues raised by the PSB as swiftly as possible during your review of the uprate application.

We look forward to a prompt reply.

Sincerely,



Jim Jeffords Patrick Leahy [Signature]