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FINAL REPLY:

Senator Joseph R. Biden, Jr.
Senator Thomas R. Carper
Representative Michael N. Castle

TO:

Chairman Diaz

FOR SIGNATURE OF : ** PRI **

CRC NO: 05-0018

Chairman Diaz

DESC:

ROUTING:

Hope Creek Generating Station

Reyes
Virgilio
Kane
Merschhoff
Norry
Dean
Burns/Cyr
Collins, RI
Dyer, NRR
Rathbun, OCA

DATE: 01/13/05

ASSIGNED TO: CONTACT:

EDO

Kim

SPECIAL INSTRUCTIONS OR REMARKS:

Coordinate with RI, NRR and OCA.

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OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

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AUTHOR: Joseph Biden
AFFILIATION: REP Sen
ADDRESSEE: Nils Diaz
SUBJECT: Hope Creek Generating Station

ACTION: Signature of Chairman
DISTRIBUTION:

LETTER DATE: 01/12/2005
ACKNOWLEDGED No
SPECIAL HANDLING:

NOTES: RF, OCA to Ack
FILE LOCATION: ADAMS

DATE DUE: 01/28/2005 DATE SIGNED:

Congress of the United States
Washington, DC 20510

January 12, 2005

The Honorable Nils J. Diaz
Chairman
U.S. Nuclear Regulatory Commission
Office of Public Affairs
Washington, DC 20555

Dear Chairman Diaz:

Thank you for providing our staffs with a briefing yesterday in response to our correspondence to you on October 25 and December 9, 2004, and in anticipation of the public exit meeting the NRC will be holding this evening, regarding operations at the Hope Creek Generating Station. We appreciate the attention you have placed on the safe operation of Hope Creek. We write today with questions regarding the condition of the "B" reactor recirculation pump, as well as the results of the investigation into the October 10, 2004 steam leak.

We expect that the safety of the public and the plant's employees is the number one priority of the NRC and the plant's operator, PSEG. However, absent adequate assurances that the "B" reactor recirculation pump can continue to operate until the next planned outage, and given our understanding that failure of this important pump will force an unplanned reactor shutdown, it is our preference that it be replaced prior to restart of the Hope Creek reactor. Should the NRC and the plant's operator ultimately choose not to do so, we request your absolute assurance prior to restart that the pump's condition be closely and continuously monitored. Further, we request that all necessary actions be taken to prevent the failure of this important reactor component. And finally, if despite those actions a pump failure does occur, we require your promise that all necessary procedures will be implemented immediately to protect the employees and the public from harm.

Attention has been properly focused on the "B" recirculation pump and its ability to function as required. We are aware of the significant review undertaken by the NRC and the plant's operator with regard to this pump. We are also aware that an agreement has been proposed to monitor the pump very closely during its operation until the next scheduled shutdown of the reactor, at which time it would be replaced. Replacement of this pump is understood to be a complex and time-consuming procedure.

Regarding the October 10 steam leak that led to the shutdown of the plant, your preliminary assessment has confirmed that a control valve for the moisture separator drain tank malfunctioned causing the valve to remain open when it should have been closed. You have also confirmed that the operators were aware of the failed valve several weeks before the steam leak, but determined, incorrectly, that the open valve would not impact operations. However, we note a statement in your January 10 letter that a similar condition occurred at the plant in 1988 and that it led to a crack in the same line. If this situation happened before, we do not understand how the operators could have incorrectly addressed the valve malfunction. This information should have been considered by the reactor's operating team, and we find it troubling that apparently it was not. While we understand that your final assessment of the October 10 steam leak has yet to be completed, we hope that your review places significant emphasis on this issue.

Additionally, the operators of Hope Creek have indicated that they will implement a series of corrective actions in response to the steam leak. These actions include an inspection of pipes and pipe supports that are not currently addressed in the NRC's mandated inspection regulations at nuclear power plants. We appreciate the operator incorporating these measures, and we support the NRC's decision to dictate that these measures be in place before the restart of Hope Creek. However, we feel the NRC should make these inspections a part of the reactors license conditions, as it is clear to us that failures in the pipes and their hangers can lead to incidents that affect the safe operations of nuclear power plants.

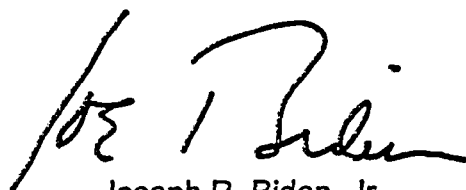
Finally, we note that PSEG Nuclear LLC and Exelon Corporation have agreed to seek a merger of their companies, and that effective January 17th, 2005 Exelon will assume the responsibility for operating the Salem- Hope Creek reactors. While we are encouraged by the promises and potential offered by this merger and by Exelon's experience in the nuclear industry, we also recognize that significant changes will occur in senior management and leadership at the reactors. We feel it is appropriate for the NRC to clarify that the obligations and commitments made to the employees and the community do not diminish as a consequence of this business transaction.

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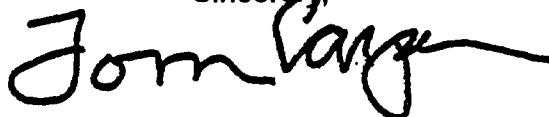
In closing, we urge you to continue to closely monitor the Hope Creek Generating Station, and if it does resume operation before replacing the "B" recirculation pump take whatever action is necessary to insure safe and reliable operation of the facility.

We look forward to hearing from you soon.

Sincerely,



Joseph R. Biden, Jr.
United States Senator



Thomas R. Carper
United States Senator



Michael N. Castle
Member of Congress

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