

EDO Principal Correspondence Control

FROM: DUE: 03/11/08

EDO CONTROL: G20080138

DOC DT: 02/27/08

FINAL REPLY:

Senator Bernard Sanders  
Senator Hillary Rodham Clinton

TO:

Chairman Klein

FOR SIGNATURE OF :

\*\* PRI \*\*

CRC NO: 08-0106

Chairman Klein

DESC:

ROUTING:

NRC/DOE Workshop on February 19-21, 2008 Regarding  
Technical issues and Research Topics for Potential  
Extended Operation of Nuclear Power Plants Beyond  
60 Years (EDATS: SECY-2008-0108)

Reyes  
Virgilio  
Mallett  
Ash  
Ordaz  
Burns  
Dyer, NRR  
Cyr, OGC  
Rakovan, OEDO

DATE: 02/28/08

ASSIGNED TO:

CONTACT:

RES

Sheron

SPECIAL INSTRUCTIONS OR REMARKS:

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E-RIDS: SECY-01

# EDATS

Electronic Document and Action Tracking System

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**Source:** SECY

## General Information

**Assigned To:** RES

**OEDO Due Date:** 3/11/2008 5:00 PM

**Other Assignees:**

**SECY Due Date:** 3/13/2008 5:00 PM

**Subject:** NRC/DOE Workshop on February 19-21, 2008 Regarding Technical Issues and Research Topics for Potential Extended Operation of Nuclear Power Plants Beyond 60 Years

**Description:**

**CC Routing:** NRR; OGC

**ADAMS Accession Numbers - Incoming:** NONE

**Response/Package:** NONE

## Other Information

**Cross Reference Number:** G20080138, LTR-08-0106

**Staff Initiated:** NO

**Related Task:**

**Recurring Item:** NO

**File Routing:** EDATS

**Agency Lesson Learned:** NO

**Roadmap Item:** NO

## Process Information

**Action Type:** Letter

**Priority:** Medium

**Signature Level:** Chairman Klein

**Sensitivity:** None

**Urgency:** NO

**OEDO Concurrence:** YES

**OCM Concurrence:** NO

**OCA Concurrence:** NO

**Special Instructions:**

## Document Information

**Originator Name:** Senator Bernard Sanders/Senator Hillary Clinton

**Date of Incoming:** 2/27/2008

**Originating Organization:** Congress

**Document Received by SECY Date:** 2/28/2008

**Addressee:** S. Bodman, DOE/Chairman Klein

**Date Response Requested by Originator:** NONE

**Incoming Task Received:** Letter

OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

*Date Printed: Feb 27, 2008 16:00*

PAPER NUMBER: LTR-08-0106

LOGGING DATE: 02/27/2008

ACTION OFFICE: EDO

AUTHOR: Hillary Clinton

AFFILIATION: CONG

ADDRESSEE: Dale Klein

SUBJECT: Concerns the February 19-21, 2008 workshop by the NRC and DOE on 2/6/2008, to explore the technical issues and research topics for potential extended operation of nuclear power plants beyond 60 years

ACTION: Signature of Chairman

DISTRIBUTION: RF, OCA to Ack

LETTER DATE: 02/27/2008

ACKNOWLEDGED No

SPECIAL HANDLING: Comr. Correspondence

NOTES:

FILE LOCATION: ADAMS

DATE DUE: 03/13/2008

DATE SIGNED:

EDO --G20080138

# United States Senate

WASHINGTON, DC 20510

February 27, 2008

The Honorable Samuel W. Bodman  
Secretary  
U.S. Department of Energy  
1000 Independence Avenue, SW  
Washington, D.C. 20585

Dale E. Klein  
Chairman  
U.S. Nuclear Regulatory  
Commission  
Mail Stop O-14E1  
Washington, D.C. 20555-0001

Dear Secretary Bodman and Chairman Klein:

We are writing to express our concern regarding the February 19-21, 2008, workshop jointly announced by the Nuclear Regulatory Commission and the Department of Energy on February 6, 2008, to explore the "technical issues and research topics for potential extended operation of the nation's nuclear power plants beyond 60 years." The initiation of this effort without consideration of recent assessments that identify re-licensing problems is both troubling and ill-advised.

With safety and public health concerns plaguing many of the nation's 104 aging nuclear power plants – from collapsed cooling towers, to football-sized holes in vessel reactors, missed deadlines for emergency warning sirens, and the release of radioactive materials into our rivers and groundwater – it is irresponsible for your agencies to begin a process to consider the potential for license extensions beyond an already-lengthy 60 years.

The Atomic Energy Act and NRC regulations limit commercial power reactor licenses to an initial 40 years, but also permit such licenses to be renewed for additional 20-year periods. The Department and the Commission have repeatedly assured Congress and the public that the original 40-year term for reactor licenses was based on economic and antitrust considerations – not on the limitations of nuclear technology. Yet, repeated safety incidents at nuclear power facilities underscore that structures and components of nuclear power plants were engineered for an expected 40-year service life and are now experiencing strain due to extended operations and boosted power output levels.

We are concerned that the NRC already faces significant challenges in meeting its current safety oversight functions with respect to aging plants:

- In 2006, the Government Accountability Office released a report on safety oversight, which concluded that the NRC "has been slow to act on needed improvements, particularly in improving the agency's ability to identify and address early indications of declining safety."


- Last fall, the NRC Inspector General highlighted significant problems with the current re-licensing process, including the troubling finding that the Commission frequently lifted language verbatim from a licensee's re-license application to incorporate into NRC reports.
- The NRC issued Generic Letter 2007-01 to its licensees last May about unexpected age-related failures of power cables. The NRC solicited information from licensees about cable failures at their facilities and the programs in place to monitor cable aging.

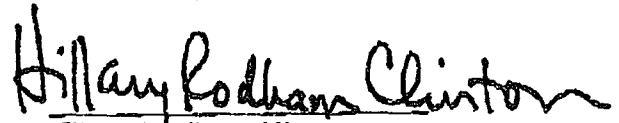
Given these recent reports, it is highly premature for your agencies to begin looking at extending the lifetimes of the current nuclear fleet beyond an already-lengthy 60 years, when in fact many of those plants should no longer be operating. Additionally, we believe that enough evidence exists to warrant a reexamination of the license renewal regulations and to restrict unlimited 20-year facility life extensions. Rather than hold workshops to initiate theoretical discussions of possible plant life extensions beyond 60 years, which would take place in 2020 at the earliest, we ask that you provide answers to the following questions regarding real safety problems at our nation's nuclear power plants:

1. What actions have you already taken and/or plan to take in response to the GAO's September 2006 report?
2. What assessment methods will be used to determine if the steps taken in response to the GAO's report successfully resolved the GAO's recommendations?
3. What actions have you already taken and/or plan to take in response to the NRC Inspector General's report on license renewal?
4. What assessment methods will be used to determine if the steps taken in response to the Inspector General's report successfully resolved those recommendations?
5. Why did the NRC wait until May of 2007 to issue Generic Letter 2007-01 addressing safety concerns raised by cable problems identified at Oyster Creek (1996), Oconee (1999) and Davis-Besse (2004)?
6. How did the NRC's nuclear plant aging research (NPAR) program and generic aging lessons learned (GALL) program fail to predict and prevent the recurring age-related cable failures? In other words, the lessons learned by the 1996 failure at Oyster Creek should have prevented the 1999 failure at Oconee and the 2004 failure at Davis-Besse. Furthermore, the 1996 failure at Oyster Creek and the 1999 failure at Oconee should have prevented the 2004 failure at Davis-Besse.
7. What actions have you already taken and/or plan to take to identify and plug any other gaps in the NRC's license renewal program similar to the gap implicitly conceded in Generic Letter 2007-01?

Given our concerns about safety related issues at aging nuclear plants, and the concerns of our constituents, we look forward to your prompt reply.

Sincerely,

  
Bernard Sanders  
U.S. Senate

  
Hillary Rodham Clinton  
U.S. Senate