

EDO Principal Correspondence Control

FROM: DUE: 05/11/11

EDO CONTROL: G20110290

DOC DT: 04/20/11

FINAL REPLY:

Senator Dianne Feinstein

TO:

Chairman Jaczko

FOR SIGNATURE OF :

\*\* GRN \*\*

CRC NO: 11-0237

Borchardt, EDO

DESC:

ROUTING:

Examine Seismic and Tsunami Hazards, Operational  
Issues, Plant Security, Emergency Preparedness,  
Spent Fuel Storage Options & Elements of NPP's  
Design Basis Within Relicensing Process  
(EDATS: SECY-2011-0252)

Borchardt  
Weber  
Virgilio  
Ash  
Muessle  
OGC/GC  
Leeds, NRR  
Wiggins, NSIR  
Burns, OGC  
Schmidt, OCA

DATE: 04/22/11

ASSIGNED TO:

CONTACT:

EDO

Rihm

SPECIAL INSTRUCTIONS OR REMARKS:

Please prepare response in accordance with OEDO  
Notice 2009-0441-02 (ML093290179). NRR and NSIR to  
provide input to Roger Rihm, OEDO, if required.  
Roger Rihm will coordinate response with OGC and  
OCA.

Template: SECY-017

E-RIDS: SECY-01

# EDATS

Electronic Document and Action Tracking System



**EDATS Number:** SECY-2011-0252

**Source:** SECY

## General Information

**Assigned To:** OEDO

**OEDO Due Date:** 5/11/2011 11:00 PM

**Other Assignees:**

**SECY Due Date:** 5/13/2011 11:00 PM

**Subject:** Examine Seismic and Tsunami Hazards, Operational Issues, Plant Security, Emergency Preparedness, Spent Fuel Storage Options and Elements of Nuclear Power Plant's Design Basis Within Relicensing Process

### Description:

**CC Routing:** NRR; NSIR; OGC; OCA

**ADAMS Accession Numbers - Incoming:** NONE

**Response/Package:** NONE

## Other Information

**Cross Reference Number:** G20110290, LTR-11-0237

**Staff Initiated:** NO

**Related Task:**

**Recurring Item:** NO

**File Routing:** EDATS

**Agency Lesson Learned:** NO

**OEDO Monthly Report Item:** NO

## Process Information

**Action Type:** Letter

**Priority:** Medium

**Sensitivity:** None

**Signature Level:** EDO

**Urgency:** NO

**Approval Level:** No Approval Required

**OEDO Concurrence:** NO

**OCM Concurrence:** NO

**OCA Concurrence:** NO

**Special Instructions:** Please prepare response in accordance with OEDO Notice 2009-0441-02 (ML093290179). NRR and NSIR to provide input to Roger Rihm, OEDO, if required. Roger Rihm will coordinate response with OGC and OCA.

## Document Information

**Originator Name:** Senator Dianne Feinstein

**Date of Incoming:** 4/20/2011

**Originating Organization:** Congress

**Document Received by SECY Date:** 4/22/2011

**Addressee:** Chairman Jaczko

**Date Response Requested by Originator:** NONE

**Incoming Task Received:** Letter

**OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET**

*Date Printed: Apr 22, 2011 07:41*

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**PAPER NUMBER:** LTR-11-0237 **LOGGING DATE:** 04/21/2011  
**ACTION OFFICE:** EDO

**AUTHOR:** SEN Dianne Feinstein  
**AFFILIATION:** CONG  
**ADDRESSEE:** Gregory Jaczko  
**SUBJECT:** Request the NRC begin examining seismic and tsunami hazards, operational issues, plant security etc;

**ACTION:** ~~Direct Reply~~ **EDC**  
**DISTRIBUTION:** RF, OCA to Ack

**LETTER DATE:** 04/20/2011  
**ACKNOWLEDGED** No  
**SPECIAL HANDLING:**

**NOTES:**

**FILE LOCATION:** ADAMS

**DATE DUE:** 05/13/2011 **DATE SIGNED:**

EDO --G20110290

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## United States Senate

COMMITTEE ON APPROPRIATIONS  
WASHINGTON, DC 20510-6025  
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CHARLES J. HOUY, STAFF DIRECTOR  
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April 20, 2011

The Honorable Gregory Jaczko  
Chairman  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Dear Chairman Jaczko:

I am writing to request that the Nuclear Regulatory Commission (NRC) begin examining seismic and tsunami hazards, operational issues, plant security, emergency preparedness, spent fuel storage options and other elements of a nuclear power plant's "design basis" within the scope of the relicensing process.

The current relicensing process is focused entirely on identifying and managing the detrimental effects of aging plant facilities. The process does not reevaluate the threat assessment that formed the basis of the plant's original design.

I believe that our understanding of many threats – especially seismic threats, tsunami threats, spent fuel risks, and terrorist threats – has improved dramatically since most nuclear power plants were originally designed and licensed thirty or more years ago. Relicensing these facilities offers a unique opportunity to review the original assessment of potential threats, in order to ensure that a facility is designed to endure all threats safely.

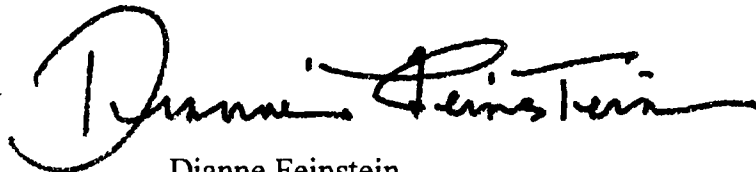
I appreciate that the NRC continuously reviews threats, and has required upgrades to address newly understood concerns outside of the relicensing process. For instance, the Commission issued rules to lower the risk of hydrogen explosions when this threat was identified in the 1980s. However, the ongoing assessment process places the burden of proof on the NRC to demonstrate that a design or operational modification of a fully

licensed facility is necessary. In contrast, the relicensing process would place the burden of proof on the facility to demonstrate that it is designed to endure and survive all potential threats.

Recent events demonstrate that thirty year old threat assessments can be devastatingly inaccurate. In Japan there have been two earthquakes in four years that exceeded the "design basis" of nuclear plants. In California, researchers have recently found new faults close to nuclear power plants, and tsunami experts have learned that submarine landslides can generate local tsunamis far larger than previously believed. Finally, recent research has demonstrated the susceptibility of storing radioactive spent fuel in densely packed pools. These new threats logically should be considered in a relicensing process, just as they would be in the licensing of a new nuclear power plant in the United States.

I strongly encourage the NRC to modify its relicensing policies in order to assure a full reexamination of design basis elements, including seismic and tsunami hazards, operational issues, plant security, emergency preparedness, and spent fuel storage options. If you have any questions or concerns about this request, please do not hesitate to contact me. I look forward to working with you to ensure that the United States has the world's safest nuclear industry.

Sincerely,

A handwritten signature in black ink, reading "Dianne Feinstein". The signature is fluid and cursive, with a large initial "D" and a long, sweeping underline.

Dianne Feinstein  
Chairman  
Subcommittee on Energy and Water  
Development

DF/mbn