

EDO Principal Correspondence Control

FROM: DUE: 06/27/12

EDO CONTROL: G20120408

DOC DT: 06/04/12

FINAL REPLY:

Senator Dianne Feinstein

TO:

Chairman Jaczko

FOR SIGNATURE OF :

\*\* PRI \*\*

CRC NO: 12-0270

Chairman Jaczko

DESC:

GAO Recommendation Regarding Risk Analyses for  
Nuclear Plants (EDATS: SECY-2012-0300)

ROUTING:

Borchardt  
Weber  
Johnson  
Ash  
Mamish  
OGC/GC  
Leeds, NRR  
Holahan, NRO  
Sheron, RES  
Zobler, OGC  
Schmidt, OCA  
Arildsen, OEDO

DATE: 06/08/12

ASSIGNED TO:

CONTACT:

EDO

Rihm

SPECIAL INSTRUCTIONS OR REMARKS:

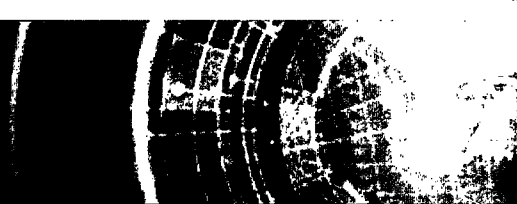
Please prepare response in accordance with OEDO  
Notice 2009-0441-02 (ML093290179). NRR, NRO and  
RES to provide input to Roger Rihm, OEDO, if  
required. Roger Rihm will coordinate response with  
OGC and OCA.

Template: SECY-017

E-RIDS: SECY-01

# EDATS

Electronic Document and Action Tracking System



**EDATS Number:** SECY-2012-0300

**Source:** SECY

## General Information

**Assigned To:** OEDO

**OEDO Due Date:** 6/27/2012 11:00 PM

**Other Assignees:**

**SECY Due Date:** 6/29/2012 11:00 PM

**Subject:** GAO Recommendation Regarding Risk Analyses for Nuclear Plants

**Description:**

**CC Routing:** NRR; NRO; RES; OGC; OCA; Jesse.Arildsen@nrc.gov

**ADAMS Accession Numbers - Incoming:** NONE

**Response/Package:** NONE

## Other Information

**Cross Reference Number:** G20120408, LTR-12-0270

**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

**Signature Level:** Chairman Jaczko

**Sensitivity:** None

**Urgency:** NO

**Approval Level:** No Approval Required

**OEDO Concurrence:** YES

**OCM Concurrence:** NO

**OCA Concurrence:** NO

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

## Document Information

**Originator Name:** Senator Dianne Feinstein

**Date of Incoming:** 6/4/2012

**Originating Organization:** Congress

**Document Received by SECY Date:** 6/8/2012

**Addressee:** Chairman Jaczko

**Date Response Requested by Originator:** NONE

**Incoming Task Received:** Letter

OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

*Date Printed: Jun 08, 2012 14:57*

**PAPER NUMBER:** LTR-12-0270

**LOGGING DATE:** 06/04/2012

**ACTION OFFICE:** EDO

**AUTHOR:** SEN Dianne Feinstein

**AFFILIATION:** CONG

**ADDRESSEE:** CHRM Gregory Jaczko

**SUBJECT:** Requesting explanation of how the NRC will address a recent GAO recommendation regarding risk analyses for nuclear plants

**ACTION:** Signature of Chairman

**DISTRIBUTION:** RF, OCA to Ack

**LETTER DATE:** 06/04/2012

**ACKNOWLEDGED** No

**SPECIAL HANDLING:** Commission Correspondence

**NOTES:**

**FILE LOCATION:** ADAMS

**DATE DUE:** 06/29/2012

**DATE SIGNED:**

EDO --G20120408



## United States Senate

WASHINGTON, DC 20510-0504

<http://feinstein.senate.gov>

June 4, 2012

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

Dear Chairman Jaczko:

I am writing to request an explanation of how the Nuclear Regulatory Commission (NRC) will address a recent Government Accountability Office (GAO) recommendation regarding risk analyses for nuclear plants.

An April 2012 report by GAO recommended that NRC analyze whether all operating reactors should be required to use Probabilistic Risk Assessment (PRA) techniques to evaluate natural hazards like earthquakes and flooding. This report notes that NRC requires new reactor designs to utilize PRA techniques, but does not require the U.S. fleet of 104 operating reactors to do so, even when conducting design basis and plant relicensing reviews.

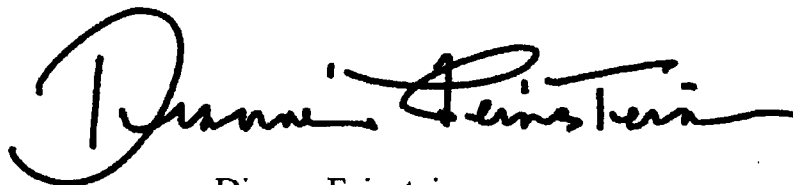
I am pleased that NRC had worked with industry to use PRA voluntarily. But it concerns me that NRC would require this more advanced methodology on the newest generation of reactors, but not require it for reactors built many decades ago – without the benefit of our current knowledge. I ask NRC to take concrete steps – through a regulatory proceeding or other formal analysis – to respond to the GAO's recommendation that the NRC determine whether requiring PRA analyses at all nuclear plants will better protect public health and safety.

The tragic events at Fukushima exemplify the need for NRC to challenge previous safety assumptions and use state-of-the-art methods to evaluate new information about natural hazards at existing nuclear plants. In order to better understand how NRC will address GAO's recommendation, I would appreciate it if you could answer the following questions.

- What is NRC doing to determine whether all nuclear plants should be required to use PRA to evaluate natural hazards like earthquakes and floods? Will the NRC initiate a rulemaking or take other concrete steps to make this determination?
- Given that NRC requires new reactor applicants to use PRA techniques, why should operating reactors continue to rely on traditional safety assessments?
- Will NRC use PRA techniques to analyze information that is gathered in response to Fukushima? If so, how will PRA be used? If not, why not?
- Will NRC use PRA techniques to inform its license renewal process? If so, how will PRA be used? If not, why not?
- In H.R. 2055, Congress directed that "The Nuclear Regulatory Commission shall require reactor licensees to re-evaluate the seismic, tsunami, flooding, and other external hazards at their sites against current applicable Commission requirements and guidance for such licenses as expeditiously as possible.... Based upon the evaluations conducted pursuant to this section and other information it deems relevant, the Commission shall require licensees to update the design basis for each reactor, if necessary." Will NRC require licensees to use PRA when conducting these design basis reviews? If not, why not?
- What challenges would NRC need to overcome in order to effectively implement a new PRA requirement for operating reactors?

Thank you for your attention to this matter. I look forward to hearing from you regarding this important request. If you have any questions or concerns, please feel free to contact me in my Washington office.

Sincerely,



Dianne Feinstein  
United States Senator

DF/mbn/ba