

**From:** [Skeen, David](#)  
**To:** [Regner, Lisa](#)  
**Subject:** FW: SFP water level instrumentation order  
**Date:** Thursday, August 16, 2012 9:37:24 AM

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FYI – per your request.

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**From:** Dave Lochbaum [mailto:DLochbaum@ucsusa.org]  
**Sent:** Monday, August 13, 2012 10:35 AM  
**To:** Skeen, David  
**Subject:** SFP water level instrumentation order

Hello Dave:

I re-read the March 12th order on spent fuel pool water level instrumentation.

Attachment 2 lists 9 required design features and 3 availability/reliability attributes for the mandated instrumentation.

But I didn't find anything stating that the installed instruments must be operable/functional at all times.

I believe that in that absence, the default becomes standard industry practice and regulatory convention.

Namely, when a structure, system, or component is required to be operable, its associated power supply, instrumentation, and alarms are also required to be operable.

The standard technical specifications for BWR/4s and the plant-specific technical specifications for many BWRs (e.g., Brunswick and Browns Ferry), do not require water level in the spent fuel pool to be maintained above a certain point EXCEPT when irradiated fuel is being moved. Otherwise, this technical specification requirement is not applicable.

By extension, when the water level requirement isn't applicable, there's no legal requirement to have water level instrumentation available.

Therefore, the SFP water level instruments ordered installed by the NRC can be intentionally disabled by many BWR owners, except during the brief periods of irradiated fuel movements.

If so, the ordered solution many fall way short of expectations.

I'd not want to explain to an angry Congress why the mandated instrumentation was intentionally disabled for weeks prior to a spent fuel pool incident.

Thanks,  
Dave Lochbaum  
UCS