

EDO Principal Correspondence Control

FROM: DUE: 05/31/05 EDO CONTROL: G20050366  
DOC DT: 05/16/05  
FINAL REPLY:

Rep. David Price

TO:

Chairman Diaz

FOR SIGNATURE OF :

\*\* PRI \*\*

CRC NO: 05-0272

Chairman

DESC:

ROUTING:

Expresses Concerns About the Recent National Academies of Science's (NAS's) report on the Safety and Security of Commercial Spent Nuclear Fuel Storage

Reyes  
Virgilio  
Kane  
Silber  
Dean  
Cyr/Burns  
Paperiello, RES  
Dyer, NRR  
Huffert, OEDO

DATE: 05/19/05

ASSIGNED TO:

CONTACT:

NSIR

Zimmerman

SPECIAL INSTRUCTIONS OR REMARKS:

Coordinate with RES and NRR as appropriate.

OEDO Point of Contact is Tony Huffert.

*Template: EDO-001*

*Files: EDO-01*

OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

Date Printed: May 18, 2005 15:46

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**PAPER NUMBER:** LTR-05-0272 **LOGGING DATE:** 05/18/2005  
**ACTION OFFICE:** EDO

**AUTHOR:** REP David Price  
**AFFILIATION:** CONG  
**ADDRESSEE:** CHRM Nils Diaz  
**SUBJECT:** Expresses concerns regarding the report recently released by the National Academies of Science (NAS) Committee on the Safety and Security of Commercial Spent Nuclear Fuel Storage

**ACTION:** Signature of Chairman  
**DISTRIBUTION:** RF, OCA to Ack.

**LETTER DATE:** 05/16/2005  
**ACKNOWLEDGED:** No  
**SPECIAL HANDLING:**

**NOTES:**  
**FILE LOCATION:** ADAMS  
**DATE DUE:** 06/03/2005 **DATE SIGNED:**

EDO --G20050366

DAVID PRICE  
4TH DISTRICT  
NORTH CAROLINA



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Dr. Nils J. Diaz, Chairman  
U.S. Nuclear Regulatory Commission  
One White Flint North Bldg.  
11555 Rockville Pike  
Rockville, MD 20852-2738

Dear Dr. Diaz:

I am writing to express to express my concerns regarding the report recently released by the National Academies of Science (NAS) Committee on the Safety and Security of Commercial Spent Nuclear Fuel Storage.

I have paid careful attention to the safety issues surrounding spent nuclear fuel for many years, because of both the presence of a nuclear power plant in my congressional district and my role as a member of the House Appropriations Subcommittee on Homeland Security. There is significant interest in my congressional district and around the country in ensuring that nuclear power plants are operated and spent fuel is stored as safely as possible. As you are aware, there is a particular concern that power plants and spent fuel be adequately protected from potential terrorist attacks.

I appreciate the efforts of the Nuclear Regulatory Commission (NRC) to substantially upgrade the security precautions and preparedness of nuclear power plants around the country after September 11, 2001. I am confident that those efforts, including improved security and safety requirements for spent fuel pools, have significantly reduced opportunities for terrorist attacks and the potential consequences that could be associated with them. I am concerned, however, that the Commission appears to be resisting some of the recommendations contained in the NAS committee report.

With regard to potential safety and security risks of spent nuclear fuel stored in pools, the NAS committee report calls for additional analyses to fill in "knowledge gaps," including the consideration of additional terrorist attack scenarios and further study of individual nuclear power plants to determine their specific safety and security vulnerabilities. The NAS committee was apparently not satisfied that additional analyses initiated by the NRC to date would sufficiently fill in these gaps. According to the committee, these additional analyses are required to adequately determine if additional plant-specific precautions need to be taken, including potentially moving spent fuel into dry cask storage more quickly at some plants. The report notes that appropriate cost-benefit considerations should be part of these additional analyses.

The NAS committee report also suggests a number of "readily implemented measures," beyond those already required by the NRC, that might be employed to improve the safety of spent fuel pools while additional risk analyses are being conducted. It specifically recommends the reconfiguration of spent fuel within pools at all nuclear power plants to better distribute decay heat loads in order to minimize the possibility that a loss of cooling water could result in a zirconium cladding fire. According to the report, this step could probably be taken "at little cost, time, or exposure of workers to radiation." In its March 2005 response to the NAS committee's report,

Dr. Nils J. Diaz, Chairman  
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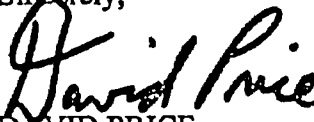
NRC indicates it has "addressed the fuel reconfiguration issue by providing recommendations to licensees for consideration on fuel management strategies." It is not clear to me from this response whether NRC intends to follow the committee's advice by requiring the reconfiguration of spent fuel at all plants.

In addition, the report recommends requiring the installation at some plants of water-spray systems that would be capable of cooling spent fuel in the event cooling water is lost and cannot otherwise be made up. The Committee notes that cost should be a factor in determining the specific spray technologies employed and that this precaution may not be needed at all plants, particularly where spent fuel pools are located below grade or have other structural protections. The NRC's response to the Committee report does not indicate that it intends to follow this recommendation.

Although the NRC and the NAS Committee are in general agreement on a number of issues related to spent fuel safety and security, the areas of disagreement, including those noted above, are a disturbing source of concern for me and for other members of Congress and the public who closely follow these issues. I urge you to implement the Committee's recommendations or to otherwise satisfy the Committee that its concerns are being adequately addressed.

Thank you for your time and attention.

Sincerely,

  
DAVID PRICE  
Member of Congress

DP:dn

cc: Louis J. Lanzerotti, Ph.D.  
Chair, Committee on the Safety and Security  
of Commercial Spent Nuclear Fuel Storage