

June 29, 2005

The Honorable Jim Saxton  
United States House of Representatives  
Washington, D.C. 20515

Dear Congressman Saxton:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated May 23, 2005, concerning the safety of the spent fuel pool at the Oyster Creek Nuclear Generating Station. In the letter, you requested that Oyster Creek's pool be one of the first five studied during our site-specific assessments and that the assessments be led by Federal employees. Also, you asked whether our assessments will be based on the recommendations of the recent National Academy of Sciences (NAS) report, "Safety and Security of Commercial Spent Nuclear Fuel Storage."

Over the last 3 years, the NRC staff has analyzed a sample of spent fuel pool designs at operating reactors to understand better their capabilities and limitations. This work included detailed structural and thermal hydraulic analyses. Based on insights gained, the NRC requested each operating reactor licensee to consider specific actions to reduce the potential for, and consequences of, a radiological release. The NRC staff is currently performing additional structural and thermal hydraulic analyses to enhance further our understanding of spent fuel pools and spent fuel cooling.

As noted in your letter, the NRC is planning to conduct site-specific assessments of spent fuel pools. For the site-specific assessments, the NRC staff and its contractors will review the plant systems design and layout for each operating reactor to identify additional spent fuel pool mitigation strategies. The Oyster Creek mitigation strategy assessment will be one of the first to be performed and is expected to be completed early this summer. Oyster Creek will also be the first of two plants selected for additional structural analyses, which will be completed this fall.

The NAS study panel recommended additional analyses in a number of areas. The site-specific mitigation strategy assessments and structural and thermal hydraulic analyses address several of their recommendations. The NRC's purpose in performing these analyses is to continue identifying and implementing effective means to mitigate risks associated with terrorist attacks on NRC-licensed facilities. While the NRC is in broad agreement with the principal findings of the NAS study, the NRC does not agree with some of its findings and recommendations. The Commission believes that the NRC should focus its resources, as well as those of its regulated licensees, on realistic or credible scenarios.

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The Commission believes that the NRC has taken and is continuing to take effective actions to ensure that spent fuel is stored in a manner that provides reasonable assurance that public health and safety, the environment, and common defense and security are adequately protected. If you have any further questions please contact me.

Sincerely,

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Nils J. Diaz