

February 27, 2006

MEMORANDUM FOR: E. William Brach, Director
Spent Fuel Project Office
Office of Nuclear Materials
Safety and Safeguards

FROM: Michael E. Mayfield, Director */RA/*
Division of Engineering
Office of Nuclear Reactor Regulation

SUBJECT: DISPOSITION OF DRAFT REPORT ENTITLED, "A PRELIMINARY
NUMERICAL STUDY OF THE HAZARD FROM LOCAL LANDSLIDE
TSUNAMI SCENARIOS AT THE DIABLO CANYON SITE IN
CENTRAL CALIFORNIA"

This memorandum is to inform you of the Office of Nuclear Reactor Regulation's (NRR's) disposition of the subject draft report, which was transmitted to NRR via a memorandum from John Moninger, dated February 3, 2005. The draft report was prepared under subcontract to the Center for Nuclear Waste Regulatory Analysis (CNWRA), in support of your staff's evaluation of the Pacific Gas & Electric (PG&E) application for an Independent Spent Fuel Storage Installation (ISFSI) at the Diablo Canyon site. The letter from the CNWRA's, principal investigator, John Stamatakos, to your staff Project Manager, James Randall Hall, dated March 17, 2004, noted that in Dr. Stamatakos' professional opinion the draft report used a methodology that is "beyond the state of the art." Subsequent correspondence from CNWRA management has confirmed that the draft report has not been accepted by CNWRA and has not gone through the CNWRA quality assurance process. Thus, the draft report's technical basis is not supported by CNWRA.

Based on our discussions of the report and the need for a technical review, we jointly asked the U.S. Nuclear Regulatory Commission's (NRC's) Seismic Issues Technical Advisory Group (SITAG) to perform such a review. The SITAG assessment of the draft report was transmitted to Michele Evans and Gene Imbro in a memorandum from Andrew Murphy, dated November 17, 2005. The SITAG concluded that the draft report was based on low resolution data having considerable uncertainty and that it was not suitable for use in regulatory applications. The SITAG also provided (1) a recommendation that the draft report be provided to PG&E for their information as they finalized their own reassessment of the tsunami hazard for the Diablo Canyon site, and (2) recommendations for additional NRC research to address the tsunami hazard.

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We subsequently considered an approach to release the draft report to PG&E and to provide the staff's assessment of the report to place the report in context for the public. However, following the discussions with the Commission technical assistants on January 18, 2006, the staff received direction from the Commission that the report was not to be released, absent a thorough review by the staff and, resolution of the staff comments.

Unrelated to the staff's evaluation of this draft report, the President's Office of Science and Technology Policy (OSTP) released a report entitled "Tsunami Risk Reduction for the United States: A Framework for Action." The multi-agency efforts described in the OSTP report includes one of the tsunami mechanisms proposed in the draft report provided by the CNWRA subcontractor in the OSTP broad review of tsunami issues.

Given the speculative nature of the draft report, the SITAG assessment of that draft report, the Commission direction to not release the draft report absent further staff assessment, and the ongoing technically robust and broad review by the OSTP, the NRR staff is terminating any further consideration of the draft report. The staff will be investing our continuing efforts in participating in the OSTP effort, seeking to build on the comprehensive efforts being conducted by the National Oceanographic and Atmospheric Agency (NOAA), the U.S. Geological Survey (USGS), and the National Science Foundation. We believe that participating with these organizations will provide a more technically credible base to broaden our technical understanding and inform our efforts to reassess tsunami design criteria in our Standard Review Plan (NUREG-0800) than could be obtained by further efforts to evaluate the tsunami assessment methodology described in the draft report.

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