

EDO Principal Correspondence Control

FROM: DUE: 06/15/09

EDO CONTROL: G20090306

DOC DT: 05/27/09

FINAL REPLY:

Representative John Ader

TO:

Chairman

FOR SIGNATURE OF :

** PRI **

CRC NO: 09-0229

Chairman Jaczko

DESC:

ROUTING:

Oyster Creek Nuclear Power Plant - Relicensing
Process (EDATS: SECY-2009-0256)

Borchardt
Virgilio
Mallett
Ash
Ordaz
Burns/Gray
Collins, RI
Burns, OGC
Schmidt, OCA
Shoop, OEDO

DATE: 05/28/09

ASSIGNED TO:

CONTACT:

NRR

Leeds

SPECIAL INSTRUCTIONS OR REMARKS:

Coordinate with Region I and OGC, as appropriate.
Please prepare response in accordance with OEDO
Notice 2009-0441-01 (ML090490315). Staff may want
to refer to the ADAMS Congressional Correspondence
Folder prior when responding to this action.
Contact Undine Shoop, OEDO for insight and any
guidance on the tone and content of the response.

Template: SECY-017

E-RIDS: SECY-01

EDATS

Electronic Document and Action Tracking System

EDATS Number: SECY-2009-0256

Source: SECY

General Information

Assigned To: NRR

OEDO Due Date: 6/15/2009 5:00 PM

Other Assignees:

SECY Due Date: 6/17/2009 5:00 PM

Subject: Oyster Creek Nuclear Power Plant - Relicensing Process

Description:

CC Routing: Region I; OGC; OCA

ADAMS Accession Numbers - Incoming: NONE

Response/Package: NONE

Other Information

Cross Reference Number: G20090306, LTR-09-0229

Staff Initiated: NO

Related Task:

Recurring Item: NO

File Routing: EDATS

Agency Lesson Learned: NO

Roadmap Item: NO

Process Information

Action Type: Letter

Priority: Medium

Sensitivity: None

Signature Level: Chairman *[Signature]*

Urgency: NO

OEDO Concurrence: YES

OCM Concurrence: NO

OCA Concurrence: NO

Special Instructions: Coordinate with Region I and OGC, as appropriate. Please prepare response in accordance with OEDO Notice 2009-0441-01 (ML090490315). Staff may want to refer to the ADAMS Congressional Correspondence Folder when responding to this action. Contact Undine Shoop, OEDO for insight and any guidance on the tone and content of the response.

Document Information

Originator Name: Representative John Ader

Date of Incoming: 5/27/2009

Originating Organization: Congress

Document Received by SECY Date: 5/28/2009

Addressee: Chairman

Date Response Requested by Originator: NONE

Incoming Task Received: Letter

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: May 28, 2009 07:43

PAPER NUMBER: LTR-09-0229 **LOGGING DATE:** 05/28/2009
ACTION OFFICE: EDO
AUTHOR: REP John Adler
AFFILIATION: CONG
ADDRESSEE: Dale Klein
SUBJECT: Relicensing process for Oyster Creek Nuclear power plant
ACTION: Signature of Chairman
DISTRIBUTION: OGC, RAS, RF, OCA to Ack
LETTER DATE: 05/27/2009
ACKNOWLEDGED: No
SPECIAL HANDLING: Commission Correspondence
NOTES:
FILE LOCATION: ADAMS
DATE DUE: 06/17/2009 **DATE SIGNED:**

EDO --G20090306

JOHN H. ADLER
THIRD DISTRICT, NEW JERSEY
<http://adler.house.gov>



Congress of the United States
House of Representatives
Washington, DC 20515-3003

May 27, 2009

COMMITTEE ON FINANCIAL SERVICES
Subcommittee on Capital Markets,
Insurance and Government
Sponsored Enterprises
Subcommittee on Domestic Monetary
Policy and Technology
Subcommittee on Oversight
and Investigations

COMMITTEE ON VETERANS' AFFAIRS
Subcommittee on Economic Opportunity
Subcommittee on Oversight
and Investigations

The Honorable Dale E. Klein, Chair
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Chairman Klein:

I am writing in regard to the recent troubling event at Oyster Creek Nuclear Power Plant in Lacey Township, New Jersey, in which groundwater contaminated with high levels of tritium was discovered on site.

According to discussions with Exelon Corporation (licensee), the Nuclear Regulatory Commission (NRC) and the New Jersey Department of Environmental Protection (DEP), on April 15, 2009, plant workers discovered high levels of radioactive tritium in standing water in a concrete cable vault on the site of Oyster Creek. Subsequent investigations revealed that tritiated water was leaking from at least two (2) buried pipes immediately surrounding the plant's condensate storage tank.

I would like to state that I have no reason to believe that Exelon Corporation and its highly trained professionals have been anything less than responsible and diligent in their handling of this matter. I also fully recognize the environmental and economic benefits of nuclear energy and the presence of Oyster Creek Nuclear Power Plant in my district. Oyster Creek provides enough round-the-clock reliable energy to power over 600,000 homes and, on average, supplies about 6% of New Jersey's total electricity needs. From an environmental perspective, the existence of Oyster Creek reduces the need to generate electricity from fossil fuels, thus reducing greenhouse gas emissions that cause global warming. Oyster Creek also benefits the community economically by employing close to 500 full-time area residents and contributing approximately \$12 million in state and local taxes. Therefore, it is clear to me that the existence of Oyster Creek provides numerous benefits to the residents of my congressional district and the citizens of New Jersey.

Notwithstanding these benefits, this recent incident at Oyster Creek leads me to question the effectiveness of the Commission's system for detecting faulty pipes. It is imperative that the Commission promulgate rules and regulations to ensure the safety of the people who reside in the areas surrounding Oyster Creek and all nuclear power plants in the country.

Washington Office
1223 Longworth House Office Building
Washington, DC 20515
(202) 225-4765
(202) 225-0778 FAX

Toms River Office
247 Main Street
Toms River, NJ 08753-7468
(732) 608-7235
(732) 608-7268 FAX

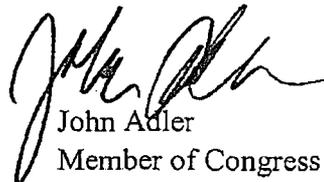
Marlton Office
28 North Maple Avenue
Marlton, NJ 08053-3021
(856) 985-2777
(856) 985-2788 FAX

In an effort to more fully understand the events that led up to the most recent tritium leak at Oyster Creek, and to prevent this type of incident from occurring in the future, please provide answers to the following questions:

1. Does the Commission require licensees to conduct inspections of their buried pipes? If not, why not? If so, how often are licensees required to inspect their buried pipes?
2. How much of each pipe is the licensee required to inspect – a segment or the entire pipe?
3. Is the inspection conducted on all of the licensee's buried pipes or just a sampling? If it is a sampling, how is this sampling determined and by whom is this sampling determined?
4. Does the Commission require an independent party to conduct buried pipe inspections in addition to the licensee? If not, why not?
5. Regarding Oyster Creek specifically, when was the licensee most recently required to inspect their buried pipe system?
6. What did the licensee find as a result of this inspection?
7. Why did the licensee not find evidence of faulty piping?
8. Do you believe that the tritium leaks are caused by corrosion from inside the pipes, outside the pipes, or both?
9. Has the Commission ever considered requiring licensees to develop technologies and methods to inspect difficult-to-access buried pipe? If so, have these requirements been implemented? If not, why not?

Thank you for your prompt attention to this request. Should you have any questions, please do not hesitate to contact me directly or Nancy Sopko in my office at 202-225-4765.

Sincerely,



John Adler
Member of Congress