

EDO Principal Correspondence Control

FROM: DUE: 06/15/09

EDO CONTROL: G20090312
DOC DT: 05/21/09
FINAL REPLY:

Senator Robert Menendez

TO:

Borchardt, EDO

FOR SIGNATURE OF :

** GRN **

CRC NO:

Borchardt, EDO

DESC:

ROUTING:

Engaging Sandia National Laboratory to Review the
Analyses of the Integrity of the Oyster Creek
Drywell Liner (EDATS: OEDO-2009-0345)

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

DATE: 06/01/09

ASSIGNED TO:

CONTACT:

NRR

Leeds

SPECIAL INSTRUCTIONS OR REMARKS:

Ref. G20090291 - Coordinate with response to
Representative Smith's letter. Contact Undine
Shoop, OEDO for insight and any guidance on the
tone and content of the response.

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E-RIDS: EDO-01

EDATS

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Other Assignees:

SECY Due Date: NONE

Subject: Engaging Sandia National Laboratory to Review the Analyses of the Integrity of the Oyster Creek Drywell Liner

Description:

CC Routing: Region I; ASLBP; OCA

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OCM Concurrence: NO

OCA Concurrence: NO

Special Instructions: Ref. G20090291 - Coordinate with response to Representative Smith's letter. Contact Undine Shoop, OEDO for insight and any guidance on the tone and content of the response.

Document Information

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Addressee: R. W. Borchardt, EDO

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Incoming Task Received: Letter

ROBERT MENENDEZ
NEW JERSEY

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May 21, 2009

Mr. R. William Borchardt
Executive Director for Operations
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Mr. Borchardt:

The purpose of this letter is to request that the NRC rebuild public confidence by engaging Sandia National Laboratories to review the analyses of the integrity of the Oyster Creek drywell liner. The NRC announcement this week that staff review corroborated the integrity of the shell and complied with American Society of Mechanical Engineer code limits, does not assuage citizens concerns.

For quite some time, residents living in New Jersey have been concerned about the integrity of the containment shell at the Oyster Creek facility. Recently, after protracted litigation, the Commission adopted the Licensing Board's recommendation that the staff should engage appropriate expertise to thoroughly examine the analyses of the strength of the shell. It is my understanding that the Licensing Board recommended that Sandia National Laboratories should be engaged to review these analyses, especially the critical issue of the appropriateness of using a non-standard enhanced capacity reduction factor.

Engaging Sandia would be consistent with past practice. Sandia has already had the opportunity to review the analyses and has taken the position that the non-standard factor should not be used. New Jersey's recent submission of a study by another independent expert agreed with Sandia on this point. This emphasizes the need for resolution of this issue through further review, which can be effectuated by Sandia because of its experience with this issue.

Unfortunately, instead of engaging an independent entity, such as Sandia, to do this review, the Staff decided to make this review internally. This is not ideal because public confidence will not be restored by a review conducted solely by in-house expertise at the NRC. I therefore respectfully request that Sandia National Laboratory be engaged to weigh in on the adequacy of the analyses, taking into account the opinions of the Staff, New Jersey's expert and the expert for the licensee. I look forward to receiving your response to this request.

Sincerely,

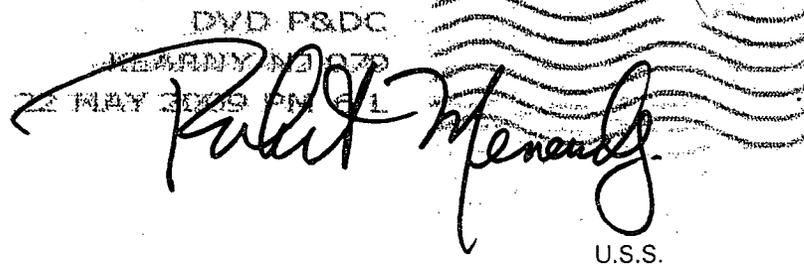


ROBERT MENENDEZ
United States Senator

EDO --G20090312

United States Senate

U.S. Senator Robert Menendez
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Mr. R. William Borchardt
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