

EDO Principal Correspondence Control

FROM: DUE: 05/04/11

EDO CONTROL: G20110265

DOC DT: 04/08/11

FINAL REPLY:

Senator Dianne Feinstein

TO:

Chairman Jaczko

FOR SIGNATURE OF :

** PRI **

CRC NO: 11-0208

Chairman Jaczko

DESC:

ROUTING:

Movement of Nuclear Fuels - Spent Fuel Pools into
Dry Cask Storage Systems (EDATS: SECY-2011-0229)

Borchardt
Weber
Virgilio
Ash
Muessle
OGC/GC
Haney, NMSS
Leeds, NRR
Burns, OGC
Schmidt, OCA

DATE: 04/15/11

ASSIGNED TO:

CONTACT:

EDO

Rihm

SPECIAL INSTRUCTIONS OR REMARKS:

Please prepare response in accordance with OEDO
Notice 2009-0441-02 (ML093290179). NMSS and NRR to
provide input to Roger Rihm, OEDO, if required.
Roger Rihm will coordinate response with OGC and
OCA.

EDATS

Electronic Document and Action Tracking System

EDATS Number: SECY-2011-0229

Source: SECY

General Information

Assigned To: OEDO

OEDO Due Date: 5/4/2011 11:00 PM

Other Assignees:

SECY Due Date: 5/6/2011 11:00 PM

Subject: Movement of Nuclear Fuels - Spent Fuel Pools into Dry Cask Storage Systems

Description:

CC Routing: NMSS; OGC; OCA; NRR

ADAMS Accession Numbers - Incoming: NONE

Response/Package: NONE

Other Information

Cross Reference Number: G20110265, LTR-11-0208

Staff Initiated: NO

Related Task:

Recurring Item: NO

File Routing: EDATS

Agency Lesson Learned: NO

OEDO Monthly Report Item: NO

Process Information

Action Type: Letter

Priority: Medium

Signature Level: Chairman Jaczko

Sensitivity: None

Urgency: NO

Approval Level: No Approval Required

OEDO Concurrence: YES

OCM Concurrence: NO

OCA Concurrence: NO

Special Instructions: Please prepare response in accordance with OEDO Notice 2009-0441-02 (ML093290179). NMSS +NRR to provide input to Roger Rihm, OEDO, if required. Roger Rihm will coordinate response with OGC and OCA.

Document Information

Originator Name: Senator Dianne Feinstein

Date of Incoming: 4/8/2011

Originating Organization: Congress

Document Received by SECY Date: 4/15/2011

Addressee: Chairman Jaczko

Date Response Requested by Originator: NONE

Incoming Task Received: Letter

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: Apr 14, 2011 18:11

PAPER NUMBER: ETR-11-0208

LOGGING DATE: 04/11/2011

ACTION OFFICE: EDO

AUTHOR: SEN Diane Feinstein

AFFILIATION: CONG

ADDRESSEE: Gregory Jaczko

SUBJECT: Concerns the movement of nuclear fuels, out of spent fuel pools into dry cask storage systems

ACTION: Signature of Chairman

DISTRIBUTION: SECY/RAS, RF, OCA to Ack

LETTER DATE: 04/08/2011

ACKNOWLEDGED No

SPECIAL HANDLING: Commission Correspondence

NOTES: Petition for Rulemaking?

FILE LOCATION: ADAMS

DATE DUE: 05/05/2011

DATE SIGNED:

EDO --G20110265

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April 8, 2011

The Honorable Gregory Jaczko
Chairman
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Chairman Jaczko:

I am writing to ask that you seriously consider regulatory policies that would encourage the movement of nuclear fuel, once sufficiently cool, out of spent fuel pools and into dry cask storage systems. I am concerned that current Nuclear Regulatory Commission policies allow excessive re-racking and densification of radioactive fuel within spent fuel pools. In fact, there are examples in the U.S. where nuclear fuel rods have been stored in spent fuel pools for decades.

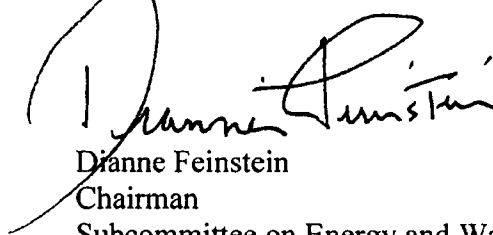
According to "Safety and Security of Commercial Spent Nuclear Fuel Storage," a report published in 2006 by the National Research Council at the request of Congress, dry cask storage systems have inherent safety advantages over spent fuel pool storage. The report highlighted three main differences between these two storage options:

1. **Less spent fuel is at risk in an accident or attack on a dry storage cask than on a spent fuel pool.** An accident or attack on a dry cask facility would likely affect only a few casks at a time. An accident or attack on a spent fuel pool places the entire fuel inventory at risk.
2. **The consequences of an accident or terrorist attack on a dry cask storage facility are lower than those for a spent fuel pool.** If an accident or attack on a dry cask facility resulted in radioactive material being released, the dispersion could likely be contained easier than if a spent fuel pool were compromised.
3. **The recovery from an attack on a dry cask would be much easier than the recovery from an attack on a spent fuel pool.** Containing radiation that could be released from damage to dry casks can be plugged temporarily with radiation-absorbing materials until permanent fixes are available. Containing radiation from a compromised spent fuel pool is likely to be much more difficult, particularly if the overlying building collapsed preventing workers from reaching the pool.

When taken together, these points assert that the risk of a non-recoverable accident decreases when spent nuclear fuel is kept in smaller, easier to manage, containers that are distributed intelligently on a secure site. The continuous re-racking and addition of fuel rods in spent fuel pools appears to be at odds with these safety recommendations. Based on these findings, I ask the NRC to initiate a rulemaking process to immediately require a more rapid shift of spent fuel to dry casks.

The lesson from Japan's disaster is that we must be prepared to respond to unanticipated threats. Therefore, any policy changes that further reduce risks of an unsafe situation catching the industry off guard should be implemented. I look forward to working with you further on this issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Dianne Feinstein". The signature is written in a cursive style with a large initial "D".

Dianne Feinstein
Chairman
Subcommittee on Energy and Water
Development

DF/mbn/ac