

June 16, 2011

The Honorable Dianne Feinstein
Chairman, Subcommittee on Energy
and Water Development
Committee on Appropriations
United States Senate
Washington, D.C. 20510

Dear Chairman Feinstein:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of April 8, 2011, regarding the storage of spent fuel and your specific interest in a more rapid transfer of spent fuel from pools to dry storage casks. The NRC continues to believe that both spent fuel pools and casks represent storage methods that provide adequate protection of public health and safety.

Over many years, the NRC has taken advantage of the lessons learned from previous operating experience to implement a program of continuous improvement for U.S. commercial nuclear regulation. This has included regular examination of topics related to spent fuel storage, as well as implementation of changes that have improved the safety of spent fuel pools at nuclear reactors. Following the terrorist attacks of September 11, 2001, the NRC undertook an extensive reexamination of spent fuel pool safety and security. As a result of this reexamination, the Commission issued orders requiring licensees to implement strategies to maintain cooling of spent fuel stored in pools in the event of a large explosion or fire at the plant. Those requirements have since been incorporated into NRC regulations. These strategies commonly include implementation of passive improvements for cooling (fuel configuration) and availability of equipment, procedures, and trained staff to employ a water spray system with a diesel-driven pump (i.e., one that does not require alternating current electric power). Following the earthquake and tsunami in Japan and the resulting damage to the Fukushima nuclear power plant, the NRC directed its resident inspectors at every U.S. nuclear power plant to examine several areas, including licensee implementation of the strategies. The NRC will further evaluate the inspection results under its Reactor Oversight Process. Additionally, on May 11, 2011, the NRC issued a Bulletin to nuclear power plant licensees requiring them to provide information on how their plants are complying with existing requirements.

As you know, in response to recent events in Japan, the Commission directed the NRC staff to establish a senior-level task force to conduct a methodical and systematic review of our processes and regulations to determine whether the agency should make improvements to our regulatory system. The review will include an examination of spent fuel storage practices in light of recent events to determine whether changes to our regulations are necessary and appropriate to ensure continuing protection of public health and safety.

-2-

Please be assured that the NRC has worked diligently to ensure that current spent fuel storage practices provide protection of public health and safety and common defense and security. As we consider the events in Japan, we will re-examine these practices and make changes, as appropriate, to ensure that we maintain the safety and security of spent fuel. If you have any additional questions, please contact me or Ms. Rebecca Schmidt, Director of the Office of Congressional Affairs, at (301) 415-1776.

Sincerely,

/RA/

Gregory B. Jaczko

cc: Senator Lamar Alexander