

July 5, 2011

The Honorable Scott P. Brown
United States Senate
Washington, D.C. 20510

Dear Senator Brown:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of June 2, 2011, regarding renewal of the operating license for Pilgrim Nuclear Power Station (Pilgrim) near Plymouth, Massachusetts. Pilgrim applied for license renewal in January 2006 and its original 40-year license will expire on June 8, 2012.

The NRC issued its final safety evaluation report (SER) for license renewal of Pilgrim in June 2007 and the final supplemental environmental impact statement in July 2007. Pilgrim Watch (a non-governmental local public interest entity) and the Commonwealth of Massachusetts submitted contentions and requests for hearings during the staff's review and subsequent to issuance of the final SER. Some of these requests are still under active review and consideration. Additionally, the staff issued a supplemental SER on June 30, 2011, to incorporate changes and additions to Pilgrim's aging management programs due to annual updates and relevant operating experience. Throughout this entire license renewal process, there have been numerous opportunities, including public meetings, for the public to share its views on both environmental and safety issues. The hearing process is ongoing, and no final decision has been made on renewal of the operating license for Pilgrim.

Regarding spent fuel storage at Pilgrim, the spent fuel pools are not over capacity. The amount of spent fuel that can be stored in a pool is governed by a plant's technical specifications. Pilgrim has increased its fuel assembly storage limits several times over the past 30 years via NRC-approved license amendments. In each case, the NRC staff concluded that there was reasonable assurance that the health and safety of the public would not be endangered, there would not be a significant effect on the quality of the environment, and that the activities would be conducted in compliance with NRC regulations. Current regulations permit "re-racking" (placing fuel rod assemblies in new storage racks designed to safely allow closer spacing in spent fuel pools), subject to NRC review and approval.

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.

The "risk ranking" you mention in your letter was developed by the news media following the NRC's recent updating of seismic core damage frequency (CDF) for operating plants in the central and eastern U.S. based on new U.S. Geological Survey seismic hazard curves. This update was done as part of the agency's Generic Issues (GI) Program that examines selected

issues affecting multiple plants that may not be covered by existing regulatory processes or criteria. The GI-199 program is investigating the safety and risk implications of updated earthquake-related data and models. The NRC does not rank nuclear power plants by seismic risk; each plant is evaluated individually according to its particular site geology. This recent revision to the CDF for operating plants indicates that the total risk for each plant is well below the threshold for immediate action. Overall, seismic risk estimates remain small in an absolute sense, and all operating plants in the Central and Eastern U.S. have seismic CDFs that are considered safe. Even though the staff has determined that existing plants remain safe, the agency's GI-199 project staff continues its analysis to determine whether any cost-justified plant improvements can be identified to make plants even safer.

Please be assured that, regardless of whether the NRC is performing a license renewal review, should information at any time now or in the future show that there is a basis to question the continued safe operation of the Pilgrim facility, the NRC will take appropriate action as part of the agency's ongoing safety oversight. If you have any additional concerns, please contact me or Ms. Rebecca Schmidt, Director of the Office of Congressional Affairs at (301) 415-1776.

Sincerely,

/RA/

R.W. Borchardt
Executive Director
for Operations

issues affecting multiple plants that may not be covered by existing regulatory processes or criteria. The GI-199 program is investigating the safety and risk implications of updated earthquake-related data and models. The NRC does not rank nuclear power plants by seismic risk; each plant is evaluated individually according to its particular site geology. This recent revision to the CDF for operating plants indicates that the total risk for each plant is well below the threshold for immediate action. Overall, seismic risk estimates remain small in an absolute sense, and all operating plants in the Central and Eastern U.S. have seismic CDFs that are considered safe. Even though the staff has determined that existing plants remain safe, the agency's GI-199 project staff continues its analysis to determine whether any cost-justified plant improvements can be identified to make plants even safer.

Please be assured that, regardless of whether the NRC is performing a license renewal review, should information at any time now or in the future show that there is a basis to question the continued safe operation of the Pilgrim facility, the NRC will take appropriate action as part of the agency's ongoing safety oversight. If you have any additional concerns, please contact me or Ms. Rebecca Schmidt, Director of the Office of Congressional Affairs at (301) 415-1776.

Sincerely,

/RA/

R.W. Borchardt
Executive Director
for Operations

DISTRIBUTION: G20110446/LTR-11-0340/EDATS: SECY-2011-0337

RRihm

EDO r/f

RidsOcaMailCenter

RidsOgcMailCenter

RidsNrrMailCenter

RidsResMailCenter

RidsEdoMailCenter

RidsSecyMailCenter

ADAMS Accession No.: ML11182B022

| OFFICE | OEDO | OCA | OGC | NRR | RES | EDO |
|--------|---------|-----------------------|----------------------------|------------------------|-------------------------|----------------|
| NAME | RRihm | EDacus (via email) | EWilliamson (via email) | BHolian (via email) | RCorreia (via email) | R.W. Borchardt |
| DATE | 7/01/11 | 6/30/11 | 6/29/11 | 6/30/11 | 6/29/11 | 7/05/11 |

OFFICIAL RECORD COPY