

# PUBLIC SUBMISSION

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**Docket:** NRC-2011-0204

Proposed Generic Communication - Draft Generic Letter on Seismic Risk Evaluations for Operating Reactors

**Comment On:** NRC-2011-0204-0001

Proposed Generic Communication; Draft NRC Generic Letter 2011-XX: Seismic Risk Evaluations for Operating Reactors

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Comment on FR Doc # 2011-22422

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## General Comment

See attached file(s)

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## Attachments

NRC-2011-0204-0001-comment

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 RULES & POLICIES

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Template = ADM-013*

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Call = K. Mansly (Kam)*

This regulation is politically motivated and wasteful. As a result, any logical person would not spend scarce capital on non-issues. The anti-nuclear types want nuclear to be non-economical. More useless regulation achieves that goal. The seismic workers at the NRC love the infusion of capital to increase their job security and their perceived worth.

You state the following.

“The state of knowledge of seismic hazard within the United States has evolved to the point that the NRC has concluded that, in view of the potential safety significance of this issue, it is necessary to reexamine the level of conservatism in the determination of original seismic design issues.”

That is a very provocative sentence and begs further examination.

(1) Could you elaborate specifically what the "state of knowledge of seismic hazard" is and what objective measure changed to what predefined level to mandate this dramatic shift? Just because there is recent global interest in global seismic events does not change anything about seismic hazard in the US. This sounds like a knee-jerk reaction.

(2) The potential safety significance of a meteor strike issue is even worse, but we are doing nothing about meteor strikes. You cannot and should not separate the probability of occurrence from the magnitude of the safety significance. The NRC professes to endorse risk-informed decision making, but they then throw real risk-informed decision making out the window when perceived political pressure increases. Please explain why the NRC believes that the risk of seismic events warrants the expense of taking further action now on seismic and diverting money from other riskier tasks.

(3) Is there reason to believe that original seismic design is inadequate at any specific facility? If so, then you should take action at that specific facility. Performing a generic seismic witch hunt is wrong and wasteful.

(4) Had the Fukushima event not happened, would you still be taking this action? The answer is a firm, no.

(5) What about the seismic event at Fukushima translates to commercial nuclear plants in the US. The earthquake was not the real issue at Fukushima. It was the ensuing wall of water that compromised that facility. Given that information, at most, the NRC should only be pursuing tsunami preparedness, which also is a non-issue for US reactors.

(5) No facilities in the US are at risk for a 45 foot wall of water. The event that happened at Fukushima will not happen in the US. The risk is so low that it is not worth spending time and money addressing.

The NRC needs to construct an objective case as to why this type of burdensome regulation is necessary. I am not at all convinced of the need for this new regulation.

The following statement is made.

"No mandated backfit is intended by the issuance of this GL. Therefore, the NRC staff has not performed a backfit analysis."

This statement is misleading.

The NRC is questioning the "original seismic design issues" in this GL. It is implied that there is a problem with the original design, and this step is a prelude to future backfits. If you know that backfits are likely to result, then you should really do a backfit calculation on all phases of the backfit assessment. If you mandate lots of spending before making changes, then the future backfit assessment will not have to consider money already spent and will increase the likelihood of the financials supporting backfit, when they may not when all costs are considered up front. This is setting a bad precedent regarding backfits. The future backfits will mandate all assessments before recommending changes. The changes will then stand alone in the end, when in fact the change is only a portion of financial and regulatory burden. This method is circumventing the purpose and intent of the backfit rule.

The following sentence is interesting.

"The staff determined that based on the evaluations of the IPEEE program, seismic designs of operating plants in the CEUS do not pose an imminent safety concern."

This means that there is no imminent safety concern. If there is no imminent safety concern, then why are we doing anything? Is there a non-imminent safety concern? If so, please substantiate this concern.

"Central and Eastern United States" is too vague. Most nuclear plants in the US are in the central and eastern US. If there are specific issues related to seismic at Charleston, SC and/or New Madrid, MO, then you should take those issues up with the plants in those locations if, and only if, the magnitude of the risk is sufficient. You need not throw the baby out with the bath water. To ask Indian Point to address geographic-specific problems found at VC Summer is a waste of time and money for Entergy.

Have we learned anything from the seismic event at North Anna? The ground motions were higher than they had considered in their original design, and the safety implications were essentially zero. The plants in the CEUS have more than enough excess design margin to address slight increases in ground motions that may have been predicted by some EPRI model that may or may not be correct.

I believe that the risk to the general public and the site workers is no worse today than it was at original design. The original designs were adequate then, and they remain adequate today. No new data has been uncovered that show a clear and present danger for the CEUS plants. None of the CEUS plants were constructed on the water in the ring of fire relative to seismic activity like that of Fukushima. With no 9.0 earthquake, there is no 45 foot wall of water. With no wall of water, there is no loss of alternate power. With no loss of alternate power, there is no core on the floor. With no core on the floor, there is no need for this knee-jerk regulation that is a prelude to a back-fit in disguise.

Please consider not wasting money on hypothetical issues that are not real issues. Focus on risk significant activities in order of importance.