

March 12, 2012

EA-12-049

All Power Reactor Licensees and
Holders of Construction Permits in
Active or Deferred Status

SUBJECT: ISSUANCE OF ORDER TO MODIFY LICENSES WITH REGARD TO
REQUIREMENTS FOR MITIGATION STRATEGIES FOR
BEYOND-DESIGN-BASIS EXTERNAL EVENTS

The U.S. Nuclear Regulatory Commission (NRC) has issued the enclosed Order that modifies the current license for your facility. The Order requires provisions for mitigation strategies for beyond-design-basis external events, and applies to all addressees listed in Attachment 1 to the enclosed Order.

Following the earthquake and tsunami at the Fukushima Dai-ichi nuclear power plant in March 2011, the NRC established a senior-level task force referred to as the Near-Term Task Force (NTTF). The NTTF conducted a systematic and methodical review of the NRC regulations and processes to determine if the agency should make safety improvements in light of the events in Japan. As a result of this review, the NTTF issued SECY-11-0093, "Near-Term Report and Recommendations for Agency Actions Following the Events in Japan," Agencywide Documents Access and Management System (ADAMS) Accession No. ML11186A950. SECY-11-0124, "Recommended Actions to be Taken Without Delay from the Near-Term Task Force Report," ADAMS Accession No. ML112911571 and SECY-11-0137, "Prioritization of Recommended Actions to be Taken in Response to Fukushima Lessons Learned," ADAMS Accession No. ML11272A111 were issued to establish the NRC staff's prioritization of the recommendations. Recommendation 4.2 concerning mitigation strategies was determined to be a high-priority action. This Order is based upon the NTTF recommendation.

The events at Fukushima Dai-ichi highlight the possibility that extreme natural phenomena could challenge the prevention, mitigation and emergency preparedness defense-in-depth layers. At Fukushima, limitations in time and unpredictable conditions associated with the accident significantly challenged attempts by the responders to preclude core damage and containment failure. During the events in Fukushima, the challenges faced by the operators were beyond any faced previously at a commercial nuclear reactor. It was determined that additional requirements must be imposed to mitigate beyond-design-basis external events. These additional requirements impose guidance and strategies to be available if the loss of power, motive force and normal access to the ultimate heat sink to prevent fuel damage in the reactor and spent fuel pool affected all units at a site simultaneously.

The NRC staff has determined that continued operation does not pose an imminent risk to public health and safety; however, the additional requirements outlined in this Order are necessary in light of insights gained from the events at Fukushima Dai-ichi. The requirements of this Order are immediately effective and are expected to remain in place until superseded by Order or rule.

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Pursuant to Section 223 of the Atomic Energy Act of 1954, as amended, any person who willfully violates, attempts to violate, or conspires to violate, any provision of this Order shall be subject to criminal prosecution as set forth in that section. Violation of this order may also subject the person to civil monetary penalty.

The enclosed Order requires responses and actions within specified timeframes. Please contact your Licensing Project Manager or Mr. Steven Bloom, Mitigation Strategies Order Project Manager (301-415-2431), regarding any issues related to compliance with the requirements in the enclosed Order, or if you have other questions.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the public without redaction. The NRC also includes significant enforcement actions on its Web site at (<http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions/>). The enclosed Order has been forwarded to the Office of the *Federal Register* for publication.

Sincerely,

/ra/

Eric J. Leeds, Director
Office of Nuclear Reactor Regulation

/ra/

Michael R. Johnson, Director
Office of New Reactors

Enclosure:
Order (EA-12-049)

cc: Listserv

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cc: Listserv

Distribution: See next page

ADAMS Accession No.: ML12054A736

*e-mail concurrence

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DATE	03/12/2012	03/12/2012	02/05/2012	03/11/2012	03/10/2012
OFFICE	D: JLD*	OD: OE*	OD: NRO	OD: NRR	
NAME	DSkeen	RZimmerman (NHilton for)	MJohnson	ELeeds	
DATE	03/11/2012	03/09/2012	03/ 12 /2012	03/ 12 /2012	

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RidsNrrPMFarley

RidsNrrPMFermi2

RidsNrrPMFitzPatrick

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RidsNrrPMHatch

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RidsNrrPMIndianPoint

RidsNrrPMKewaunee

RidsNrrPMLaSalle

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RidsNrrPMNineMilePoint

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RidsNrrPMOconee

RidsNrrPMOysterCreek

RidsNrrPMPalisades

RidsNrrPMPaloVerde

RidsNrrPM PeachBottom

RidsNrrPMPerry

RidsNrrPMPilgrim

RidsNrrPMPointBeach

RidsNrrPMPrairieIsland

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RidsNrrPMShearonHarris

RidsNrrPMSouthTexas

RidsNrrPMStLucie

RidsNrrPMSummer

RidsNrrPMSurry

RidsNrrPMSusquehanna

RidsNrrPMThreeMileIsland

RidsNrrPMTurkeyPoint

RidsNrrPMVermontYankee

RidsNrrPMVogtle

RidsNrrPMWaterford

RidsNrrPMWattsBar1

RidsNrrPMWattsBar2

RidsNrrPMWolfCreek

OEWEB – (Orders only)

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Enclosure