

EDO Principal Correspondence Control

FROM: DUE: 06/27/12

EDO CONTROL: G20120408
DOC DT: 06/04/12
FINAL REPLY:

Senator Dianne Feinstein

TO:

Chairman Jaczko

FOR SIGNATURE OF :

** PRI **

CRC NO: 12-0270

Chairman Jaczko

DESC:

GAO Recommendation Regarding Risk Analyses for
Nuclear Plants (EDATS: SECY-2012-0300)

ROUTING:

Borchardt
Weber
Johnson
Ash
Mamish
OGC/GC
Leeds, NRR
Holahan, NRO
Sheron, RES
Zobler, OGC
Schmidt, OCA
Arildsen, OEDO

DATE: 06/08/12

ASSIGNED TO:

EDO

CONTACT:

Rihm

SPECIAL INSTRUCTIONS OR REMARKS:

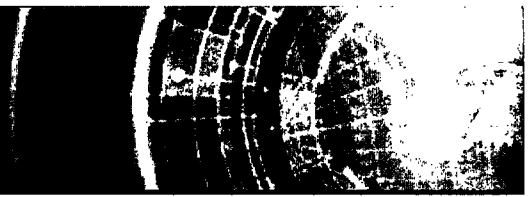
Please prepare response in accordance with OEDO
Notice 2009-0441-02 (ML093290179). NRR, NRO and
RES to provide input to Roger Rihm, OEDO, if
required. Roger Rihm will coordinate response with
OGC and OCA.

Template: SECY-017

E-RIDS: SECY-01

EDATS

Electronic Document and Action Tracking System



EDATS Number: SECY-2012-0300

Source: SECY

General Information

Assigned To: OEDO

OEDO Due Date: 6/27/2012 11:00 PM

Other Assignees:

SECY Due Date: 6/29/2012 11:00 PM

Subject: GAO Recommendation Regarding Risk Analyses for Nuclear Plants

Description:

CC Routing: NRR; NRO; RES; OGC; OCA; Jesse.Arildsen@nrc.gov

ADAMS Accession Numbers - Incoming: NONE

Response/Package: NONE

Other Information

Cross Reference Number: G20120408, LTR-12-0270

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). NRR, NRO and RES to provide input to Roger Rihm, OEDO, if required. Roger Rihm will coordinate with OGC and OCA.

Document Information

Originator Name: Senator Dianne Feinstein

Date of Incoming: 6/4/2012

Originating Organization: Congress

Document Received by SECY Date: 6/8/2012

Addressee: Chairman Jaczko

Date Response Requested by Originator: NONE

Incoming Task Received: Letter

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: Jun 08, 2012 14:57

PAPER NUMBER: LTR-12-0270 LOGGING DATE: 06/04/2012

ACTION OFFICE: EDO

AUTHOR: SEN Dianne Feinstein

AFFILIATION: CONG

ADDRESSEE: CHRM Gregory Jaczko

SUBJECT: Requesting explanation of how the NRC will address a recent GAO recommendation regarding risk analyses for nuclear plants

ACTION: Signature of Chairman

DISTRIBUTION: RF, OCA to Ack

LETTER DATE: 06/04/2012

ACKNOWLEDGED No

SPECIAL HANDLING: Commission Correspondence

NOTES:

FILE LOCATION: ADAMS

DATE DUE: 06/29/2012

DATE SIGNED:

EDO --G20120408



United States Senate

WASHINGTON, DC 20510-0504

<http://feinstein.senate.gov>

June 4, 2012

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

Dear Chairman Jaczko:

I am writing to request an explanation of how the Nuclear Regulatory Commission (NRC) will address a recent Government Accountability Office (GAO) recommendation regarding risk analyses for nuclear plants.

An April 2012 report by GAO recommended that NRC analyze whether all operating reactors should be required to use Probabilistic Risk Assessment (PRA) techniques to evaluate natural hazards like earthquakes and flooding. This report notes that NRC requires new reactor designs to utilize PRA techniques, but does not require the U.S. fleet of 104 operating reactors to do so, even when conducting design basis and plant relicensing reviews.

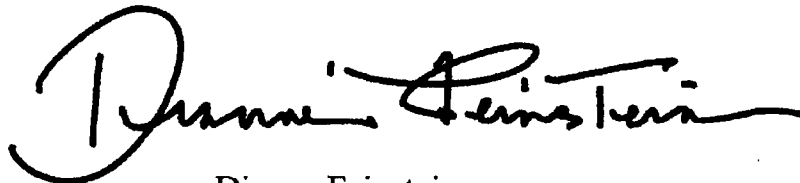
I am pleased that NRC had worked with industry to use PRA voluntarily. But it concerns me that NRC would require this more advanced methodology on the newest generation of reactors, but not require it for reactors built many decades ago – without the benefit of our current knowledge. I ask NRC to take concrete steps – through a regulatory proceeding or other formal analysis – to respond to the GAO's recommendation that the NRC determine whether requiring PRA analyses at all nuclear plants will better protect public health and safety.

The tragic events at Fukushima exemplify the need for NRC to challenge previous safety assumptions and use state-of-the-art methods to evaluate new information about natural hazards at existing nuclear plants. In order to better understand how NRC will address GAO's recommendation, I would appreciate it if you could answer the following questions.

- What is NRC doing to determine whether all nuclear plants should be required to use PRA to evaluate natural hazards like earthquakes and floods? Will the NRC initiate a rulemaking or take other concrete steps to make this determination?
- Given that NRC requires new reactor applicants to use PRA techniques, why should operating reactors continue to rely on traditional safety assessments?
- Will NRC use PRA techniques to analyze information that is gathered in response to Fukushima? If so, how will PRA be used? If not, why not?
- Will NRC use PRA techniques to inform its license renewal process? If so, how will PRA be used? If not, why not?
- In H.R. 2055, Congress directed that “The Nuclear Regulatory Commission shall require reactor licensees to re-evaluate the seismic, tsunami, flooding, and other external hazards at their sites against current applicable Commission requirements and guidance for such licenses as expeditiously as possible.... Based upon the evaluations conducted pursuant to this section and other information it deems relevant, the Commission shall require licensees to update the design basis for each reactor, if necessary.” Will NRC require licensees to use PRA when conducting these design basis reviews? If not, why not?
- What challenges would NRC need to overcome in order to effectively implement a new PRA requirement for operating reactors?

Thank you for your attention to this matter. I look forward to hearing from you regarding this important request. If you have any questions or concerns, please feel free to contact me in my Washington office.

Sincerely,

A handwritten signature in black ink that reads "Dianne Feinstein". The signature is written in a cursive, flowing style with a large initial "D".

Dianne Feinstein
United States Senator

DF/mbn/ba