

November 20, 2013

The Honorable Edward J. Markey
United States Senate
Washington, DC 20510

Dear Senator Markey:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of September 17, 2013, in which you discuss previous spent fuel accident studies, and raise a number of concerns regarding the agency's draft spent fuel pool study (SFP study) issued in June 2013. The final SFP study has now been issued; a copy is enclosed for your information. This final report contains an appendix not included in the draft report, Appendix E, which compiles the public comments received, some of which are similar to points raised in your letter. The NRC staff's responses to the public comments are included in Appendix E as well.

The NRC staff has previously reviewed the 2003 paper entitled "Reducing the Hazards from the Stored Spent Power-Reactor Fuel in the United States" cited in your letter. The Commission published a review that identified concerns with the realism of the postulated severe events and disagreed with the use of certain assumptions and models that the agency considered overly conservative. The NRC also reviewed the 2004 National Academy of Sciences report and the Commission provided its detailed response in a report to Congress in 2005.

The NRC staff has recently prepared a generic regulatory analysis regarding the expedited transfer of spent fuel, and it is before the Commission for review to determine whether additional action is appropriate. Separately, the Advisory Committee on Reactor Safeguards will review and provide the results of its review to the Commission. The Commission appreciates your comments and will consider them along with other comments received in its deliberation on this matter.

If you need any additional information, please contact me or Rebecca Schmidt, Director of the Office of Congressional Affairs, at (301) 415-1776.

Sincerely,

/RA/

Allison M. Macfarlane

Enclosure:
As stated