

December 18, 2013

Mr. David A. Lochbaum, Director
Nuclear Safety Project
Union of Concerned Scientists
P. O. Box 15316
Chattanooga, TN 37415

Dear Mr. Lochbaum:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your October 31, 2013, letter expressing concerns about the opportunities for public involvement in the NRC's evaluation of expedited transfer of spent fuel to dry cask storage. As you mention in your letter, this issue was, in part, included within the NRC's post-Fukushima accident lessons-learned activities as a result of stakeholder feedback. In keeping with the NRC's core values, the agency strives to engage the public in the conduct of its mission.

There has been a long history of discussions about the safe storage of spent fuel assemblies in nuclear reactor spent fuel pools. Over the years, the NRC has conducted several major studies and considered possible regulatory actions related to spent fuel pools. In regard to the post-Fukushima activities, the Commission is reviewing whether regulatory action is needed to require a reduction in the amount of spent fuel stored in spent fuel pools. The NRC staff recently completed a new study of potential consequences of a beyond-design-basis earthquake affecting the spent fuel pool for a U.S. Mark I boiling water reactor (also known as the spent fuel pool study) on October 9, 2013 (SECY-13-0112). During the course of this multi-year study, the NRC interacted with the public through solicitation of comments and during one of the public meetings mentioned in your letter. The final study included the agency's evaluation of the public comments received. The NRC also conducted several public presentations on this study, including the Regulatory Information Conference in March 2013, a public meeting with the National Academy of Sciences in June 2013, and a public meeting with the Advisory Committee on Reactor Safeguards in October 2013.

Regarding the Japan lessons-learned Tier 3 item, the NRC staff recently completed an assessment of whether regulatory action might be warranted to require expedited transfer of spent fuel. The Commission received that assessment on November 12, 2013 (COMSECY-13-0030). Separately, the Advisory Committee on Reactor Safeguards will review the staff's paper and provide the results of its review to the Commission. A Commission meeting on spent fuel pool safety and consideration of expedited transfer of spent fuel is currently planned for January 6, 2014. I thank the Union of Concerned Scientists for agreeing to participate in that meeting.

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The Commission appreciates your comments and will consider them during our deliberations on this matter. If you have additional technical or regulatory information that the Commission should consider during its deliberations, please bring it to the NRC staff and our attention before or during that meeting. Thank you for sharing your concerns on this matter.

Sincerely,

/RA/

Allison M. Macfarlane