

The Alliance For A Clean Environment
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July 25, 2014

NRC Chairman Allison M. Macfarlane

U.S. Nuclear Regulatory Commission
Mail Stop O-16G4
Washington, DC 20555-0001
301-415-1750 Chairman@nrc.gov

**RE: Seismic Hazard Risk At Limerick Nuclear Plant
Daniel H. Dorman's Response On Your Behalf**

Chairman Macfarlane,

We are contacting you once again because our concerns about earthquake risks at Limerick Nuclear Plant continue to remain unaddressed. That is because the 6-30-14 response to ACE regarding Limerick Nuclear Plant's seismic issues, and written on your behalf by Daniel H. Dorman, NRC Office of Nuclear Reactor Regulation, was generic and did not address the specific Limerick seismic issues that threaten public safety, which we identified in our original letter and attachments to you.

In fact, Mr. Dorman has apparently dismissed the specific evidence provided to NRC by ACE, on behalf of public safety and financial interests. Mr. Dorman cited generic information instead of referring to Limerick site-specific risks. A few examples:

1. Mr. Dorman states that NRC has "confidence" that Limerick can operate safely for another 6 1/2 years. That "confidence" is not supported by facts. It is based solely on faulty assumptions. Generic assumptions cannot apply to Limerick. Mr. Dorman states that the only information being reviewed by NRC at Limerick is based on self-serving and deceptive seismic reports generated by Exelon. Mr. Dorman reveals that the evidence provided to NRC by the public (ACE) is obviously not under review. Otherwise, NRC could NOT have "confidence" that Limerick can operate safely for another 6 1/2 years.
2. Mr. Dorman inaccurately states that "the Limerick facility was designed and licensed to reflect the seismic hazards on site". We sent you information that refutes his statement. For example:
 - Dan Ely worked at Limerick during its construction. He expressed concern about new earthquake risks related to Limerick's construction in testimony at the Limerick EIS public hearing 9-22-11.
 - He testified that there were continual deviations, including in-storage maintenance monitoring of the condition of the components that were used in the actual construction of that plant.
 - There were many failures and deviations during the construction of Limerick, resulting in non-conformances that were reviewed, but not reviewed in light of what we understand and know today about earthquakes or other anomalies.
 - There are rebar concrete reinforced supports where a quality engineer was supposed to be accepting the very highest grade of concrete to be placed in a 36-8 hour pour there and he didn't pay attention. Ely stated, "the cofferdam was being built down in the river and up comes this sand mix with a very low strength and gets pumped up into those fuel pool girders in a layer. The engineer said well, boy, that was a terrible mistake, but it'll be okay."
 - Ely further stated that we need to go back and take a look at all of those mistakes and make sure that they're not written off because a layer in a structure under load caused by an earthquake, that's an issue.

Mr. Dorman's response on your behalf indicates that NRC has completely failed to consider the Limerick-specific documented structural construction deviations identified above, as well as others identified by Mr. Ely in his testimony.

- How could NRC possibly have considered seismic hazards when Limerick's substandard reactors and fuel pools, control room, turbine building, and rad-waste storage building were all allowed to

be built directly on top of fault fractures, so wide in some places that they had to be filled in with cement?

3. Clearly, Exelon's "walkdowns and visual reviews" of the plant's seismic structures cannot possibly provide accurate information that could protect the public against Limerick's hazards.
 - Limerick's seismic risks are hidden in the inaccessible foundation and vital substandard Limerick structures, which NRC is ignoring.
 - Equally inaccessible for "walkdowns and visual reviews" are Limerick's miles of buried pipes and cables. Exelon's monitors and gages have routinely been proven unreliable.
4. Evidence suggests that Limerick's licensing analysis was deficient. Although *"the NRC staff is satisfied that plants can continue operation without undue risk to public health and safety"*, that evaluation is based on outdated and faulty calculations in regard to Limerick Nuclear Plant.
5. Mr. Dorman's response letter on your behalf stated that *"NRC is taking all prudent and necessary actions to adequately protect public health and safety. Should information at any time show there is a basis to question the continued safe operation of Limerick, NRC will take appropriate action"*
 - That statement is belied by NRC's abject failure to seriously consider and take action on the extensive detailed evidence ACE members sent to you in a letter and attachments in March, 2014.
 - Despite this evidence, in May, NRC indefensibly placed Limerick Nuclear Plant in NRC's lowest category of seismic risk of all U.S. nuclear plants.
 - NRC's choice to ignore all of Limerick's specific seismic and construction risks for another 6 1/2 years is beyond negligent, unacceptable, and clearly NOT protective of public health and safety.

Mr. Dorman clearly failed to respond to Limerick site-specific seismic issues on your behalf. Mr. Dorman stated that he understands our concerns. Clearly he does not, because his response totally dismisses our concerns, putting the public at greater and greater risk.

We reject Mr. Dorman's suggestion to use NRC'S petition process as a solution. Evidence shows that NRC's petition process is a time consuming and rigged system that enables NRC to dismiss serious concerns and avoid taking protective precautionary action. NRC's petition process will NOT work to protect the health, safety, or financial interests of the many millions of people in the Greater Philadelphia Region who would suffer catastrophic impacts from Fukushima-like meltdowns at Limerick.

Time after time, valid well-defined petitions and legal actions have been filed against Limerick Nuclear Plant, only to be denied by NRC. The most recent example of NRC's flawed petition process is NRC's March 26, 2014 denial of the clearly valid petition of Paul Gunter, Beyond Nuclear, requesting the revoking of operating licenses for GE Mark I and II BWR nuclear plants, including Limerick. His petition was filed on behalf of public health and safety.

NRC is charged with the responsibility to protect us. NRC states it will take appropriate action if evidence is produced. ACE provided that evidence.

As recently as July, 2014, Science News reported that experts say the nuclear industry should expect the unexpected in regard to nuclear power accidents and that the industry and regulators must "seek out and act on" any new data about hazards, as well as take into account rare low probability incidents..."

➤ **NRC MUST TAKE ACTION BASED ON THE LIMERICK-SPECIFIC EVIDENCE IT HAS IN HAND AND CLOSE LIMERICK TO PROTECT THE GREATER PHILADELPHIA REGION.**

Sincerely,



Dr. Lewis Cuthbert
ACE President

Copies:

Senator Bob Casey
Senator Pat Toomey
Congressman James Gerlach
Congresswoman Allyson Schwartz
Congressman Charles Dent
Congressman Pat Meehan
Governor Tom Corbett
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