

File Ctr



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

September 23, 1997

50-456/457
50-454/455
50-237/249
50-373/374
50-254/265
50-295/304
50-461

The Honorable Carol Moseley-Braun
United States Senate
Washington, D.C. 20510-1303

Dear Senator Moseley-Braun:

I am responding to the letter you sent to Dennis K. Rathbun, dated August 21, 1997, forwarding a letter from your constituent, Adriane Hughes. In her letter, Ms. Hughes questions the safety of allowing nuclear power plants that are receiving additional regulatory oversight because of declining performance to continue to operate and suggests that it would be safer to use alternate energy resources.

The mission of the U.S. Nuclear Regulatory Commission (NRC) is to ensure adequate protection of public health and safety, the common defense and security, and the environment in the use of nuclear materials in the United States. The NRC's scope of responsibility includes regulation of commercial nuclear power reactors; nonpower research, test, and training reactors; fuel cycle facilities; medical, academic, and industrial use of nuclear materials; and the transport, storage, and disposal of nuclear materials and nuclear waste. Because our focus is on the safety of nuclear power plants, we are not in the position to address the safety of alternate power sources. The lead agency for issues related to alternate energy sources is the Department of Energy (DOE). The DOE's Office of Utility Technologies is responsible for helping industries develop renewable energy sources including solar, wind, hydropower, and geothermal energy, and encouraging electricity suppliers to choose renewable energy technology.

The NRC regards compliance with regulations, license conditions, and technical specifications as mandatory, and the agency is not reluctant to insist on compliance from any licensee. But we also recognize that plants will not operate trouble-free. For this reason, the NRC requires that substantial safety margins be designed into the construction of plants. To maintain this margin, the NRC requires licensees to establish measures to ensure that failures and nonconformances are promptly identified and corrected. The appropriate regulatory response to an identified deficiency can and should vary, depending on its safety significance. Therefore, the NRC would not necessarily exercise its authority to revoke or suspend a facility's license solely on the basis of a pattern of performance that warrants increased NRC monitoring.

Facilities that are operating today are operating because the NRC has determined that they meet an acceptable level of safety. Although we have found deficiencies at some plants, the conservatism provided by the multiple levels of design and operating requirements provides reasonable assurance that there is no undue risk to public health and safety. In some cases, plants that are receiving increased NRC monitoring have entered extended shutdowns to identify and address the root causes for their problems and to implement

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corrective actions. Following discussions between the NRC and the licensee, a Confirmatory Action Letter may be issued that documents commitments made by a licensee that the plant remain shut down until specific corrective actions have been appropriately addressed and reviewed by the NRC. I can assure you that if the NRC becomes aware of information demonstrating that an undue risk to public health and safety exists, it will take prompt remedial action including the shutdown of operating facilities.

With respect to nuclear power plants in Illinois, the Commonwealth Edison Company (ComEd) units at Dresden, Quad Cities, Byron, and Braidwood are operating satisfactorily. The ComEd units at Zion and LaSalle and the Illinois Power unit at Clinton are currently shut down, and the NRC has issued Confirmatory Action Letters documenting the commitments made by the licensees that certain actions will be taken before any of these units are restarted. The NRC has also established oversight panels for each of these facilities. The oversight panels are responsible for evaluating the effectiveness of the licensee's restart plans through inspections and meetings with the licensees.

I appreciate your constituent's interest in this issue and hope that this letter is responsive to your request.

Sincerely,



L. Joseph Callan
Executive Director
for Operations

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Sincerely,
Original Signed by
L. J. Callan
 L. Joseph Callan
 Executive Director
 for Operations

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*See previous page for concurrence

DOCUMENT NAME: GT970625.LWR

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DATE	09/16/97		09/15/97		09/15/97		09/11/97		09/15/97	
OFFICE	ADPR		OGC	N	RIII	E	D:NR		OEDO	
NAME	RZIMMERMAN*		JHULL *		*RLANKSBURY		SCOLLINS		JCALLAN	
DATE	09/16/97		09/17/97		09/11/97		09/18/97		09/22/97	
									OCA	
									DRATHBUN	
									09/23/97	

OFFICIAL RECORD

#1
9/16

DISTRIBUTION: Letter to C. Moseley-Braun, Dated: September 23, 1997

Docket Files (STN 50-456, STN 50-457,
STN 50-454, STN 50-455, 50-237,
50-249, 50-373, 50-374, 50-254,
50-265, 50-295, 50-304,
50-461) (w/original incoming), TC3

PUBLIC (w/incoming)

EDO #G970625, 05E6

EDO r/f

L. J. Callan, 017H1

A. Thadani

H. Thompson, 017H10

P. Norry, 05E6

J. Blaha, 017H16

C. Paperiello

S. Burns, 015B18

A.B. Beach, RIII

S. Collins/F. Miraglia, 012G18

R. Zimmerman, 012G18

J. Roe

W. Travers

E. Adensam, EGA1

B. Sheron

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PDIII-2 R/F (w/incoming)

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C. Shiraki

J. B. Hopkins

M. Boyle (email MLB4)

M. Thadani

K. Bohrer, NRR Mail Room

R. Lanksbury, RIII

W. Kropp, RIII

A. Stone, RIII

G. Grant, RIII

OGC, 015B18

OPA, 02A13

SECY #CRC-97-0871, 016G15

OCA, 012G18

(EDO #G970625 w/incoming)

N. Olson, 012G18

T. Harris

C. Moseley-Braun

- 2 -

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Executive Director
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DATE	09/15/97		09/15/97		09/15/97		09/11/97		09/15/97	
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DATE	09/16/97		09/17/97		09/11/97		09/ /97		09/ /97	09/ /97

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see comment on clipped
page

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DATE	09/12/97		09/ /97		09/12/97		09/11/97		09/ /97	
OFFICE	ADPR		OGC		RIII	E	D:NRR		OEDO	
NAME	RZIMMERMAN				*RLANKSBURY		SCOLLINS		JCALLAN	
DATE	09/ /97		09/ /97		09/11/97		09/ /97		09/ /97	

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NAME	EADENSAM		RZIMMERMAN				RLanksbury*	SCOLLINS	JCALLAN	
DATE	09/ /97		09/ /97		09/ /97		09/ 11/97	09/ /97	09/ /97	

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8/29 pm

1. Boger
2. JAZ
3. _____

ACTION

EDO Principal Correspondence Control

FROM:

9/24/97
DUE: ~~09/10/97~~

EDO CONTROL: G970625
DOC DT: 08/21/97
FINAL REPLY:

Senator Carol Moseley-Braun

TO:

Rathbun, OCA

FOR SIGNATURE OF :

** GRN **

CRC NO: 97-0871

Callan, EDO

DESC:

ROUTING:

NUCLEAR POWER PLANT SAFETY (ADRIANE HUGHES)

Callan
Thadani
Thompson
Norry
Blaha
Burns
Paperiello, NMSS

DATE: 08/29/97

ASSIGNED TO:

CONTACT:

NRR

Collins

SPECIAL INSTRUCTIONS OR REMARKS:

NRR RECEIVED: AUGUST 29, 1997
NRR ACTION: DRPE:BOGER

NRR ROUTING: COLLINS
MIRAGLIA
ZIMMERMAN
SHERON
ROE
TRAVERS
BOHRER

ACTION

DUE TO NRR DIRECTOR'S OFFICE

BY

Sept 19 '97

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

PAPER NUMBER: CRC-97-0871 LOGGING DATE: Aug 27 97
ACTION OFFICE: EDO
AUTHOR: CAROL MOSELEY-BRAUN
AFFILIATION: U.S. SENATE
ADDRESSEE: RATHBUN
LETTER DATE: Aug 21 97 FILE CODE:
SUBJECT: NUCLEAR POWER PLANT SAFETY
ACTION: Signature of EDO
DISTRIBUTION: CHAIRMAN
SPECIAL HANDLING: OCA TO ACK
CONSTITUENT: ADRIANE HUGHES
NOTES:
DATE DUE: Sep 12 97
SIGNATURE: DATE SIGNED:
AFFILIATION:

EDO -- G970625