

**Paul M. Blanch**  
**Energy Consultant**

January 26, 1995

Mr. Joseph Shea  
Office of Nuclear Reactor Regulation  
USNRC  
Washington DC 20555-0001

Subject: Mr. Joseph Shea letter to Paul Blanch dated January 19, 1995

Dear Mr. Shea:

Thank you for your letter dated January 19, 1995, responding to my petition dated April 13, 1994.

My letter requested that (1) the NRC immediately issue an information notice or other appropriate notification forwarding all information in its possession to all power reactor licensees regarding the potential meltdown of fuel in spent fuel pools, and reminding licensees of their responsibilities to perform timely operability determinations in accordance with their technical specifications and NRC Generic Letter 91-18, (2) each licensee immediately perform an evaluation of compliance of this potential deficiency with respect to its current licensing basis; (3) the NRC deny all requests for license amendments for the expansion of spent fuel pool capacity until these safety concerns are fully resolved; and (4) after evaluation by each licensee, if the NRC determines there is little or no risk to the public health and safety, the NRC may issue a Notice of Enforcement Discretion.

In responding you stated:

*"With respect to items 1, 2 and 4, the NRC staff issued a draft safety evaluation regarding loss of spent fuel pool cooling concerns at the Susquehanna Steam Electric Station in October 1994 (Enclosure 1). The draft safety evaluation evaluated spent fuel pool cooling issues raised in a report filed pursuant to 10 CFR Part 21 on November 27, 1992. The draft safety evaluation was placed in the public document room and was provided to the licensee for Susquehanna, the engineers who filed the Part 21 report and to the Advisory Committee on Reactor Safeguards (ACRS). The three parties identified above have provided written comments on the draft safety evaluation. The staff intends to consider all of the comments received and revise the draft safety evaluation as the staff determines is appropriate to address those comments. The staff expects to issue the safety evaluation in final form by February, 1995."*

I am confused as to how the issuance of a draft safety evaluation responds to the concerns identified in my letter of April 13, 1995. I see no relationship between the draft safety evaluation and the specific items identified above.

I am also concerned that the NRC is still conducting safety evaluations for many plants and does not have any formal procedures for conducting these safety evaluations. If the NRC is conducting safety evaluations, given the responsibility of 100 plants, I would expect detailed procedures and a Quality Assurance program comparable to 10 CFR Appendix B. A recent NRC Office of the Inspector General's report stated.

*The OIG investigation determined that NRR does not have a set of procedures in place for conducting continuing safety evaluations or for tracking generic safety issues. RUSSELL has directed NRR managers to devise a system for documenting the NRR staff's handling of generic safety issues.*

I assume the NRC now has these procedures in place and I would greatly appreciate a copy of the NRC procedures used for conducting this safety evaluation.

9503060215

Attachment 1

Item (1) was a simple request for the NRC to inform utilities of a potential safety problem and remind them of their continued obligations to perform an operability determination. The NRC has had this vital information since November 1992 and has neglected to inform any of the licensees other than placing documents in the Public Document Room. I do not consider this responsible action by the Agency responsible for protecting the public from the potential dangers of nuclear radiation. Mr. Russell has stated on many occasions that it is the licensee's responsibility to assure compliance with the design basis and not the NRC's. Yet, it again appears the NRC is conducting safety evaluations, without any criteria or procedures, for the entire industry. Please explain why the NRC is conducting these evaluation. Licensees feel no obligation to take any action while the NRC studies this issue. This is similar to the NRC's handling of the Rosemount issue and the BWR condensate pots issue. As long as the NRC fails to request action by the licensees, nothing will be done outside the NRC effort and this effort will likely continue for years to come.

Item (2) is not addressed in the draft safety analysis. I am aware of some utilities that have not performed an evaluation of compliance of this potential deficiency with respect to its current licensing basis. I also failed to locate in the draft safety evaluation the NRC's response to item (4). These two items (2 & 4) specifically requested each licensee perform an evaluation for compliance with its current licensing basis and not an evaluation by the NRC.

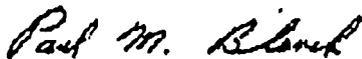
My overriding concern is an accident during refueling that causes a loss of water in the spent fuel pool. The initiating event for this scenario may be a seismic event, station blackout or a fuel handling accident that causes a rupture of the spent fuel pool liner or associated systems. Please don't state that this event is incredible or of such a low probability that it need not be considered. It almost happened at Haddam Neck during 1981 due to a reactor cavity seal failure. Also a recent event at a reactor site caused a rupture of the pool liner that resulted some loss of spent fuel pool water. At Dresden in January 1991, freezing caused a pipe connected to the spent fuel pool to rupture, resulting in a significant loss of cooling water. The event is credible and the general public has the right to know the consequences of this low probability event.

Section 5.2 of the draft safety evaluation states dose to the population would be  $8 \times 10^6$  person-rem assuming the accident occurred 90 day after shutdown. Given this non-conservative assumption, please provide exposure information for my review assuming the event occurs during refueling. I would like the dose rate (onsite and offsite) from direct and indirect shine from the exposed fuel and also the calculated site boundary doses and dose rates due to the release of short and long lived radioisotopes. It should be assumed that the reactor is near the end of its 40 year life and a full core offload is in the spent fuel pool. I also request that these calculations receive independent verification similar to design calculations conducted by utilities.

Please provide the above requested information to me as soon as possible and also point out to me where in the draft safety evaluation, my concerns identified in my April 13, 1994 letter are addressed.

Your prompt response is appreciated.

Sincerely,



Paul M. Blanch  
135 Hyde Rd.  
West Hartford Ct. 06117