Congress of the United States
Washington, DC 20515

April 15, 2019

The Honorable Kristine Svinicki
Chairwoman
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Chairman Svinicki,

We write today in response to the Nuclear Regulatory Commission's (NRC) recent announcement of two violations stemming from the incident at the San Onofre Nuclear Generation Station (SONGS) on August 3, 2018. We appreciate your continued attention to the spent nuclear fuel loading processes and procedures at SONGS, and request that the NRC provide the highest possible level of oversight and transparency at the site going forward. We also ask that you add a full-time inspector to the facility.

The incident on August 3, 2018 involved the near drop of a Multi-Purpose Canister (MPC) as it was being downloaded into a Cavity Enclosure Container (CEC) at the SONGS independent spent fuel storage installation.[1] During downloading, SONGS personnel did not identify that the MPC was resting on a ring in the CEC when it was being lowered to the bottom of the enclosure. The 98,700-pound canister balanced on this ring unsupported for 45 minutes. This incident was not officially reported to the NRC in the appropriate timeframe and it was ultimately made public by a whistleblower.[2]

Additionally, NRC staff has been investigating the scratching of MPCs during downloading operations.[3] As the MPCs were lowered into the CECs, they regularly came into contact with components in the enclosure. This recurring issue was not initially reported by the licensee at SONGS. Holtec International, the manufacturer and Certificate of Compliance holder for the MPCs used at SONGS, stated in its original designs that scratching was not intended to take place. It is also our understanding that Holtec has since changed its position and now believes that scratching of the MPCs is acceptable.

We are pleased that your staff has taken the time to thoroughly investigate and analyze these issues, and we will continue to closely watch NRC's related actions and decisions. We believe that MPC downloading should not resume if there are remaining questions regarding the integrity or safety of the canisters. This is especially critical given SONGS's location in an area

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[1] Pruett, Troy W. "NRC SPECIAL INSPECTION REPORT 050-00206/2018-005, 050-00361/2018-005, 050-00362/2018-005, 072 -00041/2018-001 AND NOTICE OF VIOLATION." Received by Doug Bauder, San Onofre Nuclear Generating Station, 28 Nov. 2018, San Clemente, CA.

[2] Nikolewski, Rob. 10 Aug. 2018. "Incident with waste canister at San Onofre nuclear plant prompts additional training measures." *San Diego Union Tribune.*

[3] Nuclear Regulatory Commission. 26 March 2019. "Licensing meeting with Holtec International, Inc., (Holtec), for licensee to present technical details addressing scratching and abrasion issues associated with the UMAX certificate of compliance."

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of high earthquake hazard and along the coast where ocean air can accelerate corrosion, making any unstudied damage to the canisters particularly concerning.[4]

Furthermore, we believe it is critical that you significantly increase oversight of the site's spent fuel transfer operations and scratched cannister inspections. While NRC staff has stated that full-time inspectors are not typically assigned to independent spent fuel storage installations, we find that unacceptable in this case. In order to regain public confidence, we believe it is imperative for NRC to add a full-time inspector to the facility.

We appreciate your attention to this matter.

Sincerely,

MIKE LEVIN
Member of Congress

KAMALA D. HARRIS
United States Senator

HARLEY ROUDA
Member of Congress

DIANNE FEINSTEIN
United States Senator

SCOTT PETERS
Member of Congress

JUAN VARGAS
Member of Congress

SUSAN A. DAVIS
Member of Congress

[4] Bryan, C, & Schindelholz, E. 28 Sept. 2018. "FY18 Status Report: SNL Research into Stress Corrosion Cracking of SNF Interim Storage Canisters. *Sandia National Laboratories.*

CC: Scott Morris, Administrator, Region IV, U.S. Nuclear Regulatory Commission