

EDO Principal Correspondence Control

FROM: DUE: 03/07/12

EDO CONTROL: G20120105  
DOC DT: 02/08/12  
FINAL REPLY:

Representative Brad Sherman

TO:

DOE/NRC

FOR SIGNATURE OF :

\*\* PRI \*\*

CRC NO: 12-0061

Chairman Jaczko

DESC:

ROUTING:

Safety and Security of United States Nuclear  
Power Plants and Ongoing Review of Processes and  
Regulations of the United States Plants Following  
the Accident at Fukushima Dai-ichi Plant  
(EDATS: SECY-2012-0086)

Borchardt  
Weber  
Virgilio  
Ash  
Mamish  
OGC/GC  
Leeds, NRR  
Wiggins, NSIR  
Burns, OGC  
Schmidt, OCA

DATE: 02/22/12

ASSIGNED TO:

CONTACT:

EDO

Rihm

SPECIAL INSTRUCTIONS OR REMARKS:

Response is to be coordinated with the Department  
of Energy. Please prepare response in accordance  
with OEDO Notice 2009-0441-02 (ML093290179). NRR  
and NSIR to provide input to Roger Rihm, OEDO, if  
required. Roger Rihm will coordinate response with  
OGC and OCA.

Template: SECY-017

ERIDS: SECY-01

# EDATS

Electronic Document and Action Tracking System

**EDATS Number:** SECY-2012-0086

**Source:** SECY

## General Information

**Assigned To:** OEDO

**OEDO Due Date:** 3/7/2012 11:00 PM

**Other Assignees:**

**SECY Due Date:** 3/9/2012 11:00 PM

**Subject:** Safety and Security of United States Nuclear Power Plants and Ongoing Review of Processes and Regulations of the United States Plants Following the Accident at Fukushima Dai-ichi Plant

**Description:**

**CC Routing:** NRR; NSIR; OGC; OCA

**ADAMS Accession Numbers - Incoming:** NONE

**Response/Package:** NONE

## Other Information

**Cross Reference Number:** G20120105, LTR-12-0061

**Staff Initiated:** NO

**Related Task:**

**Recurring Item:** NO

**File Routing:** EDATS

**Agency Lesson Learned:** NO

**OEDO Monthly Report Item:** NO

## Process Information

**Action Type:** Letter

**Priority:** Medium

**Signature Level:** Chairman Jaczko

**Sensitivity:** None

**Approval Level:** No Approval Required

**Urgency:** NO

**OEDO Concurrence:** YES

**OCM Concurrence:** NO

**OCA Concurrence:** NO

**Special Instructions:** Response is to be coordinated with the Department of Energy. Please prepare response in accordance with OEDO Notice 2009-0441 (ML093290179). NRR and NSIR to provide input to Roger Rihm, OEDO, if required. Roger Rihm will coordinate response with OGC and OCA.

## Document Information

**Originator Name:** Representative Brad Sherman

**Date of Incoming:** 2/8/2012

**Originating Organization:** Congress

**Document Received by SECY Date:** 2/21/2012

**Addressee:** Steven Chu, DOE and Chairman Jaczko

**Date Response Requested by Originator:** NONE

**Incoming Task Received:** Letter

OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

*Date Printed: Feb 17, 2012 10:29*

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**PAPER NUMBER:** LTR-12-0061 **LOGGING DATE:** 02/15/2012  
**ACTION OFFICE:** EDO

**AUTHOR:** REP Brad Sherman  
**AFFILIATION:** CONG  
**ADDRESSEE:** Gregory Jaczko  
**SUBJECT:** Expresses concern about the safety and security of U.S. nuclear power plants and ongoing review of processes and regulations of U.S. plants following the accident at the Fukushima Dai-ichi plant

**ACTION:** Signature of Chairman  
**DISTRIBUTION:** RF, OCA to Ack

**LETTER DATE:** 02/08/2012  
**ACKNOWLEDGED:** No  
**SPECIAL HANDLING:** Response should be coordinated with the Department of Energy Commission Correspondence

**NOTES:**

**FILE LOCATION:** ADAMS

**DATE DUE:** 03/09/2012 **DATE SIGNED:**



BRAD SHERMAN  
UNITED STATES CONGRESS

PH: (202) 225-5911  
FAX: (202) 225-5879

The Honorable Steven Chu, Secretary  
U.S. Department of Energy  
1000 Independence Avenue, SW  
Washington, D.C. 20585

The Honorable Gregory B. Jaczko, Chairman  
U.S. Nuclear Regulatory Commission  
Mail Stop O-16G4  
Washington, D.C. 20555

February 8, 2012

Dear Secretary Chu and Chairman Jaczko:

I am writing to express my concern about the safety and security of U.S. nuclear power plants, and your ongoing review of processes and regulations of U.S. nuclear power plants following the accident at the Fukushima Dai-ichi Nuclear Power Plant.

As you know, 23 of our nation's 104 nuclear power reactors are boiling water reactors (BWR) with Mark I containments, the same reactor design that failed catastrophically in Japan in March 2011. I understand that following the Fukushima disaster, you convened a senior level agency task force to conduct a comprehensive review to determine what steps can be taken to improve the safety of U.S. nuclear power plants, particularly the Mark I BWR plants that comprise almost a quarter of all nuclear reactors in this country. As you proceed expeditiously with this review, it is imperative that your focus is appropriately broad to take into account the underlying design of all existing and operational nuclear reactors and containment systems, to ensure that regardless of the perceived likelihood of disaster, the integrity of the of reactors and containment systems is guaranteed by your agencies.

I have been made aware of concerns raised by many in the scientific community that the design of the Mark I BWR plants is fundamentally flawed, and that unless and until significant alterations are made to these plants, their ultimate safety cannot be guaranteed. In the Nuclear Regulatory Commission report *Recommendations for Enhancing Reactor Security in the 21<sup>st</sup> Century*, published in July 2011, the authors acknowledged that "[t]he accident in Japan was caused by a natural event (i.e., tsunami) which was far more severe than the design basis for the Fukushima Dai-ichi Nuclear Power Plant," and that the severity of the accident prompted further investigation into how "the NRC has [historically] addressed events that exceed the current design basis for plants in the United States." Based on this report and other public comments made by your agencies, I share the concern that the design of existing plants in the United States is being overlooked in your review and that your focus is on the plants' susceptibility to foreseeable events. As we have seen time and again, the events that prompt nuclear crises are virtually by definition unforeseeable. In my own community in California's San Fernando Valley, the Santa Susana Field Laboratory nuclear accident of July 1959 occurred not because of a foreseeable natural event, but because clogged pipes led a lack of coolant.



The safety of our nation's nuclear power plants is of the highest importance to our public health, and cannot be guaranteed based on the perceived likelihood of disaster. It must be based on the fundamental quality of a reactor's design and the integrity of its containment systems. I urge you to take all appropriate steps to ensure that the design of all our nation's nuclear power plants are sound, and to immediately take action to remediate those plants whose design flaws have been made demonstrably apparent by the recent tragedy in Japan.

I look forward to your prompt attention and reply.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brad Sherman', with a long horizontal flourish extending to the right.

Brad Sherman  
Member of Congress