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United States Senate
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS
WASHINGTON, DC 20510–6175

May 15, 2014

The Honorable Allison M. Macfarlane
Chairman
Nuclear Regulatory Commission
Rockville, MD 20852

Dear Chairman Macfarlane:

As you know, we are extremely concerned about safety issues surrounding decommissioning nuclear power plants.

On the same day as the Senate Environment and Public Works Committee's hearing on these issues, a dangerous, fast-moving set of fires erupted in San Diego County, including in the vicinity of the San Onofre nuclear plant. In response to one of these fires, Southern California Edison evacuated a dozen employees from the plant.

As you know, San Onofre currently contains 2,600 highly radioactive fuel rods in its spent nuclear fuel pools that were originally designed to hold only 1,600. In the event of a fire at the plant, the electricity needed to keep the pools full and cooled could be cut off, causing the water in the pools to boil off and the spent fuel to spontaneously ignite. The National Academy of Sciences[1] (NAS) and the NRC[2] have both found that a spent fuel fire could result in large radioactive releases and widespread contamination. NRC's analysis has concluded that the health and economic impacts of a spent fuel fire could equal those caused by an accident at an operating reactor. In addition, you co-authored a paper[3] that found that the consequences of such an event could exceed those that occurred at Chernobyl. At yesterday's hearing, NRC acknowledged these dangers in response to our questions.

Southern California Edison and Entergy have recently requested exemptions from the emergency response regulations designed to protect the surrounding communities from the consequences that events such as wildfires, earthquakes or terrorist attacks could cause. The NRC has never once refused a request to terminate the emergency response measures designed to protect the safety of communities living near decommissioning reactors. We trust the Commission will reverse this unwise policy, and insist on continued compliance with all safety and security precautions at shut down plants going forward.

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[1] National Research Council, "Safety and Security of Commercial Spent Nuclear Fuel Storage," 2006
[2] http://pbadupws.nrc.gov/docs/ML1325/ML13256A342.pdf and
http://pbadupws.nrc.gov/docs/ML0104/ML010430066.pdf
[3] http://pbadupws.nrc.gov/docs/ML1209/ML120960695.pdf

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We also urge the Commission to require all nuclear reactor operators to move the spent fuel rods stored in spent fuel pools into safer dry cask storage as quickly as it can be done, and to require operators to also incorporate state and local government views into their plans for decommissioning reactors.

Thank you for your attention to this important matter. We expect the Commission's response as soon as possible, and plan a hearing with the Commission to further discuss these and other vital safety concerns.

Sincerely,

Senator Barbara Boxer
Chairman

Senator Bernie Sanders

Senator Edward J. Markey