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March 18, 2011

The Honorable Greg Jaczko
Chairman
Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, MD 20852

Dear Chairman Jaczko:

I write to request information regarding the Nuclear Regulatory Commission's (NRC's) current assessments of damage as well as an assessment of the potential worst-case consequences associated with the current nuclear emergency in Japan. As reports have noted, there has been some conflicting information regarding the status of the meltdowns and condition of the spent nuclear fuel ponds at the Fukushima Daiichi nuclear power plant.

As you know, focus of late has shifted to two questions: First, whether containment has been breached at any of the units, and second, whether there remains water (and if so how much) in the spent nuclear fuel ponds, especially in units 3 and 4. However, conflicting information is being provided by different parties.

For example, in your testimony in front of the House Energy and Commerce Committee on Wednesday, you indicated, with regard to unit 4, that you believed that "There is no water in the spent fuel pool and we believe that radiation levels are extremely high, which could possibly impact the ability to take corrective measures."

Following your statement, representatives from Tokyo Electric Power Company (TEPCO), the plant's operator stated that "We can't get inside to check, but we've been carefully watching the building's environs, and there has not been any particular problem," Hajime Motojuku, a spokesman for Tokyo Electric, said Thursday morning in Japan. After that, a spokesman for Japan's Nuclear and Industrial Safety Agency (NISA) said that, "Because we have been unable to go to the scene, we cannot confirm whether there is water left or not in the spent fuel pool at Reactor No. 4."¹ Later that evening, a press release issued by the Nuclear Energy Institute (NEI) stated that both TEPCO and NISA had refuted your statement, and that the spokesmen had stated that "the situation at

¹ <http://www.nytimes.com/2011/03/18/world/asia/18nuclear.html?pagewanted=2&hp>

Unit 4 has changed little during the day today and water remained in the fuel pool. However, both officials said that the reactor had not been inspected in recent hours.”²

A similar situation exists with respect to the extent of damage to the containment structures of units 2 and 3. Numerous press reports have speculated that the hydrogen explosions experienced at these units may have created a path for radioactive materials to escape containment. One of these reports³ states that officials have concluded that “the chambers surrounding units 2 and 3 now have been cracked, allowing radiation to escape.” During a conference call on March 17 with Congressional staff, NRC staff indicated that the NRC believes that there has been a breach in or damage to the primary and/or secondary containment structures in units 1, 2 and 3. Yet earlier that day, the NEI released a statement⁴ that said (in part), on the Fukushima Daiichi plant, that:

“The reactors at the Fukushima Daiichi plant are in stable condition and are being cooled with seawater, but workers at the plant continue efforts to add cooling water to fuel pools at reactors 3 and 4.... Reactor 2 is in stable condition with seawater injection continuing. The reactor’s primary containment may not have been breached, Tokyo Electric Power Co. and World Association of Nuclear Operators officials said on Thursday. Containment pressure is at 65 psig, an indication that containment has not been breached. Access problems at the site have delayed connection of a temporary cable to restore offsite electricity. The connection will provide power to the control rod drive pump, instrumentation, batteries, and power to the control room. Power has not been available at the site since the earthquake on March 11. Reactor 3 is in stable condition with seawater injection continuing. The primary containment is believed to be intact. Pressure in the containment has fluctuated due to venting of the reactor containment structure, but has been as high as 83 psig.”

The information that is being received on a daily basis by Congress is currently limited to daily emails from the State Department, which contains some information related to the nuclear crisis in addition to the earthquake and tsunami relief and consular information provided. This is supplemented by multiple daily emails from the NEI, which as the principal trade association for manufacturers of nuclear power-plants, equipment, nuclear fuel, and owners of utilities which own nuclear plants (including Tokyo Electric Power, which owns the Fukushima Daiichi plants), has a clear vested interest in providing a highly optimistic assessment of the situation.

Now that NRC staff is on the ground in Japan, it is my hope that it will be able to add to the information that is currently being provided to Congress and the public on a daily basis. While I appreciate the daily conference calls your staff has begun to hold, I

² NEI’s **Update 9:00pm March 16** Information on the Japanese Earthquake and Reactors in that Region

³ <http://www.voanews.com/english/news/asia/IAEA-Chief-Heads-to-Japan-to-Assess-Nuclear-Crisis-118105754.html>

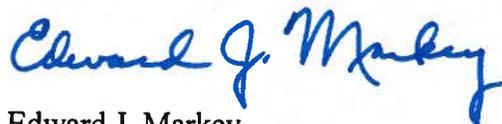
⁴ NEI’s Update 11:45am March 17 Information on the Japanese Earthquake and Reactors in that Region

believe that it is vitally important to all those who may be considering leaving the vicinity of the impacted reactors to be receiving accurate and unbiased written assessment of current conditions. It is also important that the American public fully understand the potential magnitude and timing associated with a worst-case core melt-down and radiation release or spent fuel fire. Members of Congress must also be kept similarly informed so that they can assist any of their constituents who may have family members currently in the impacted areas and so that they can continue their oversight efforts in assuring the safety of our domestic nuclear reactors. Consequently, I ask for your prompt response to the following questions:

- 1) I request that you please begin to provide Congress and the public with a daily "situation report" or other similar document that contains your staff's assessment of the conditions at the impacted reactors, the radiation readings at each unit, the status of efforts to halt the melt-downs and radiation releases from the spent-fuel storage areas, and any reports of radiation exposures experienced by those working at or located in the vicinity of the impacted reactors.
- 2) Please provide me with your assessment of the worst-case potential consequences (including the total radiation that could be released as well as the possible timing for such an event based on current situational awareness), for each of the Daiichi units regarding
 - a. The loss of water in the spent fuel cooling ponds and subsequent fire and/or release of radiation
 - b. A full core melt-down assuming that no further breaches in containment occur
 - c. A full core melt-down assuming that the containment structures are breached.

Thank you very much for your prompt attention to this matter. Please provide me with your initial response to question 1 by close of business on Monday March 21, 2011 and on an ongoing basis thereafter. Please provide me with your response to question 2 by Friday March 25, 2011. If you have any questions or concerns, please have your staff call Dr. Michal Freedhoff of my staff at 202-225-2836.

Sincerely,



Edward J. Markey