

October 16, 2001

The Honorable Joseph I. Lieberman, Chairman
Committee on Governmental Affairs
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

The U. S. Nuclear Regulatory Commission (NRC) hereby responds to the recommendation that the GAO made in its report entitled "Nuclear Regulation - Progress Made in Emergency Preparedness at Indian Point 2, but Additional Improvements Needed," dated July 2001.

Sincerely,

/RA/

Richard A. Meserve

Enclosure: Response to GAO Recommendation

cc: Senator Fred Thompson

GAO RECOMMENDATION AND NRC RESPONSE

In its report entitled “Nuclear Regulation - Progress Made in Emergency Preparedness at Indian Point 2, but Additional Improvements Needed,” the General Accounting Office (GAO), specifically recommended that the U. S. Nuclear Regulatory Commission (NRC) assess its communications during non-emergency situations. The following paragraphs present this recommendation and the NRC’s response.

GAO Recommendation

Since the responsibility for responding to radiological emergencies at a large percentage of this Nation’s nuclear power plants rests with an entity other than the State, we recommend that the Commissioners direct NRC staff to assess the agency’s position of generally communicating with State officials during non-emergency situations.

NRC Response

The Commission agrees that it is appropriate for the NRC staff to continue assessing the agency’s policies for non-emergency communication with State and local officials. Although NRC’s policy is to meet formally at the State level to discuss emergency preparedness, local officials are not precluded from attending and participating in such meetings. Local government officials are also invited to attend annual public NRC meetings with utilities in which the results of the reactor oversight process are discussed for each plant. The staff has conducted separate public meetings with local government representatives immediately following the annual assessment meetings, during which the reactor oversight process itself is discussed. The NRC staff is continuing to review these and other forums to determine whether they are appropriate for or whether they can be optimized to include official government-to-government interactions concerning emergency preparedness. The staff will recommend changes in keeping with the agency’s performance goal to increase the public’s confidence in it as a regulator, but balanced with the need to maintain its resources and effectiveness in other performance areas.

The GAO’s recommendation is similar in nature to one identified by the NRC’s Office of the Inspector General (OIG) in a report titled “NRC’s Response to the February 15, 2000, Steam Generator Tube Rupture at Indian Point Unit 2 Power Plant.” That report also noted the concern expressed by local officials regarding a lack of routine communications with the NRC and its Resident Inspectors at Indian Point 2. The staff has already initiated actions in response to the OIG’s report and will consider the GAO recommendation as part of its ongoing assessment. The staff anticipates completing the assessment by February 1, 2002. Upon completion of the assessment, a report will be provided to you identifying any related policy changes.

Identical letter sent to:

The Honorable Dan Burton, Chairman
Committee on Government Reform
United States House of Representatives
Washington, DC 20515

cc: Representative Henry Waxman

The Honorable Harry Reid, Chairman
Subcommittee on Transportation, Infrastructure,
and Nuclear Safety
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

cc: Senator James M. Inhofe

The Honorable Joe Barton, Chairman
Subcommittee on Energy and Air Quality
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

cc: Representative Rick Boucher

The Honorable W. J. "Billy" Tauzin, Chairman
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

cc: Representative John D. Dingell

The Honorable James M. Jeffords, Chairman
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

cc: Senator Bob Smith

The Honorable David M. Walker
Comptroller General of the United States
General Accounting Office
Washington, DC 20548

The Honorable Mitchell E. Daniels, Jr.
Director
Office of Management and Budget
Washington, DC 20503

The Honorable Sue Kelly
United States House of Representatives
Washington, DC 20515

The Honorable Nita M. Lowey
United States House of Representatives
Washington, DC 20515

The Honorable Benjamin A. Gilman
United States House of Representatives
Washington, DC 20515

The Honorable Hillary Rodham Clinton
United States Senate
Washington, DC 20510

The Honorable Charles E. Schumer
United States Senate
Washington, DC 20510