

October 11, 2006

MEMORANDUM TO: Luis A. Reyes
Executive Director for Operations

FROM: Dale E. Klein */RA/*

SUBJECT: INDEPENDENT TEAM TO ASSESS THE IMPLEMENTATION OF THE
REACTOR OVERSIGHT PROCESS AT INDIAN POINT

As you are aware, there have been repeated inquiries regarding the adequacy of the NRC's oversight of, and licensee performance at, the Indian Point facility. I understand that Region I has been implementing heightened oversight of the facility, including inspections beyond those called for by the normal oversight process, and I have great confidence in the Region I staff. Nevertheless, I believe that additional review of our actions would be beneficial. Indeed, five years after full implementation of the reactor oversight process, such reviews may be beneficial in all the Regions for selected plants.

Therefore, I am directing you to develop a Charter to conduct an independent assessment of the implementation of the NRC's reactor oversight process at the Indian Point facility and other facilities in other Regions to the extent you believe appropriate. The assessment shall address overall programmatic implications for the reactor oversight process. The Charter shall include a description of assessment team members, the composition of which would be designed to achieve the desired independence. Appropriate State, local, and Congressional observation roles should be described. In addition, consideration should also be given to any existing international programs already in place that might fulfil this assessment function. The Charter should be structured to not only assess the efficacy of the NRC's implementation of the reactor oversight program at Indian Point and possibly other facilities, but to also identify areas within the program that may need refinement as well as insights into licensee performance.

The Commission shall be provided with a report containing the proposed Charter or international alternatives, schedule, and resource implications within 30 days of the date of this memorandum. Subsequent action shall be consistent with the Commission's Internal Procedures.

cc: Commissioner McGaffigan
Commissioner Merrifield
Commissioner Jaczko
Commissioner Lyons
SECY
OGC
OCFO