January 16, 2007

Mr. John Zohn
4365 1st Street
Vero Beach, FL 32968-2358

Dear Mr. Zohn:

I am responding to your October 22, 2006, letter to Senator Nelson in which he asked that the U.S. Nuclear Regulatory Commission (NRC) reply directly to you and send him a copy of our correspondence. You expressed concern that NRC should be a more aggressive enforcer of federal safety regulations and that Congress must require the NRC to provide regular status reports on progress made towards improving its oversight of nuclear plants. Your concern is based on a Union of Concerned Scientists (UCS) report entitled "Walking a Nuclear Tightrope: Unlearned Lessons of Year-plus Reactor Outages," dated September 2006, which examined the history of extended reactor shutdowns.

The NRC considers its oversight of nuclear power plants to be rigorous and effective in protecting public health and safety from radiation. Nonetheless, we continually seek ways to improve our regulatory processes. A key component of our regulatory program is the Reactor Oversight Process (ROP) that is designed to provide confidence that each plant is detecting and correcting problems to ensure nuclear safety.

In April 2000, the NRC significantly revised its inspection program with the implementation of the ROP. The ROP was developed with significant input from stakeholders, and introduced new initiatives, such as: (1) performance indicators; (2) risk-informed approaches to inspections and assessment of inspection findings and of overall plant performance; and (3) increased attention on plant ability to identify, assess, and correct problems. Since the introduction of the ROP, only one commercial nuclear plant was shutdown for a period longer than 1 year. The lessons learned from that incident resulted in additional significant changes that have further enhanced our oversight process, including: (1) new guidance to assess the effectiveness of plant corrective action programs; (2) more extensive use of operating experience information; and (3) most notably, the introduction of inspection guidance for the assessment of safety culture. Additional information on the ROP is publicly available on NRC's Web site at http://www.nrc.gov/NRR/OVERSIGHT/ASSESS/index.html.

NRC prides itself on its regulatory transparency, involvement of the public, and accountability to Congress and the Nation for its regulatory oversight of nuclear power plants. Congress receives NRC's quarterly reports on issues such as the ROP, implementing risk-informed regulations, and the enforcement process. The agency also performs an annual self-assessment of the ROP. During a public meeting, NRC staff presents its self-assessment of the ROP to the NRC Commission. The most recent report is SECY-06-0074, "Reactor Oversight Process Self-Assessment for Calendar Year 2005," dated March 31, 2006, which is available to the public through the NRC's web page. The agency also conducts biennial internal surveys to solicit and analyze program feedback from the NRC staff. In addition, NRC publishes an annual survey in the *Federal Register* to obtain external stakeholder input

regarding ROP effectiveness. Several independent evaluations of the ROP have also been completed, most recently an audit by the U.S. Government Accountability Office (GAO). This audit is available on the GAO public website.

As a dedicated and responsible regulator, we value comments and suggestions from the public for improvement to nuclear safety and will continue to seek ways to contribute to the safety, security and well-being of the public. Please contact me if you have any further concerns.

Sincerely,

/RA/

Luis A. Reyes
Executive Director
for Operations

cc. The Honorable Bill Nelson

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