

April 21, 2011

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

Dear Congresswoman Lowey:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of March 15, 2011, which raised concerns regarding Indian Point Nuclear Generating Station Units 2 and 3 in light of recent events in Japan and their implications for ensuring the continued safety of nuclear power plants in the United States.

We continue to collect information regarding the events in Japan. The Commission directed the staff to conduct a methodical and systematic review of our processes and regulations to determine whether the agency should make improvements to our regulatory system. This activity will have both near-term and longer-term components.

For the near-term effort, the task force has begun a 90-day review. This review will evaluate all of the currently available information from the Japanese events to identify immediate or near-term operational or regulatory issues potentially affecting the 104 operating reactors in the U.S., including their spent fuel pools. Areas of investigation will include the ability to protect against natural disasters, response to station blackouts, severe accidents and spent fuel accident progression, radiological consequence analysis, and severe accident management issues, and emergency preparedness. Over this 90-day period, the NRC staff will develop recommendations, as appropriate, for changes to inspection procedures and licensing review guidance, and will recommend whether generic communications, orders, or other regulatory requirements are needed. This 90-day effort will include a briefing of the Commission after approximately 30 days to provide a snapshot of the regulatory response and the condition of the U.S. reactor fleet based on information available at that time.

The task force's longer-term review will begin as soon as the NRC staff has sufficient technical information from the events in Japan, with a goal of commencing no later than the completion of the 90-day near-term report. The task force will evaluate all technical and policy issues related to the events to identify any additional potential research, generic issues, changes to the reactor oversight process, rulemakings, and modifications to the regulatory framework that should be considered by the NRC. A report with appropriate recommendations will be provided to the Commission within six months after the start of this evaluation. Both the 90-day and final reports will be made publicly available in accordance with normal Commission processes.

With those plans in place and underway, we also are currently pursuing prudent actions, even though we do not yet have all the details we need to fully assess the implications of the Japanese events for the U.S. reactor fleet. Specifically, we have begun inspection activities through temporary instructions to our inspection staff, including the resident inspectors and the region-based inspectors in our four Regional offices, to look at licensees' readiness to deal with both design basis accidents and beyond-design basis accidents. We have also issued an information notice to our licensees to make them aware of the events in Japan. Nuclear power plant licensees are voluntarily verifying that their capabilities to mitigate conditions that result from severe accidents, including the loss of significant operational and safety systems, are in effect and operational. The NRC will take additional immediate actions that we believe to be appropriate as our understanding of the events in Japan becomes clearer.

I am glad that I had the opportunity to speak with you directly on March 25th regarding your specific concerns. The NRC staff also agreed that during the forthcoming review of seismic issues at U.S. commercial nuclear facilities, top priority will be given to reviewing the Indian Point data. As I mentioned during our call, I have committed to personally visit the Indian Point facility in the coming weeks. I hope that you will be able to join me.

Let me assure you that our ongoing monitoring of events in Japan and our review of all available information leads us to conclude that U.S. plants continue to operate safely. I want to reiterate that we continue to view our domestic responsibilities for licensing and oversight of the U.S. licensees as our top priority and that U.S. nuclear plants continue to operate safely. I look forward to being able to provide you with additional information as it becomes available. If you have any additional questions, please contact me or Ms. Rebecca Schmidt, Director of the Office of Congressional Affairs, at (301) 415-1776.

Sincerely,

/RA/

Gregory B. Jaczko