

September 20, 2011

Mr. Marvin S. Fertel
President and Chief Executive Officer
Nuclear Energy Institute
1776 I Street, Suite 400
Washington, D.C. 20006

Dear Mr. Fertel:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of July 15, 2011, regarding the ongoing review by the nuclear energy industry of the NRC's near-term analysis of the events in Japan and their impact on U.S. plants, entitled "Recommendations for Enhancing Reactor Safety in the 21st Century: The Near-Term Task Force Review of Insights from the Fukushima Dai-ichi Accident," dated July 12, 2011 (Report). You expressed that the Report lacks the rigorous analysis that traditionally accompanies regulatory requirements proposed by the NRC.

As you are aware, the Near-Term Task Force found that the current U.S. regulatory approach has served the Commission and the public well and concluded that a sequence of events like those occurring in the Fukushima accident is unlikely to occur in the United States. Therefore, continued operation and licensing activities do not pose an imminent risk to public health and safety. The members of the task force worked independently, drawing on their substantial experience and their interaction with NRC staff to produce a very important document. They also worked on a very compressed schedule without the benefit of the agency's usual formal processes for evaluation and without extensive stakeholder input, contact with licensees, or the formal advice of the Advisory Committee on Reactor Safeguards (ACRS).

On August 19, 2011, the Commission issued a Staff Requirements Memorandum (SECY-11-0093 - Near Term Report and Recommendations for Agency Actions Following the Events in Japan) by which the Commission directed the staff to engage promptly with stakeholders to review and assess the recommendations of the Near-Term Task Force in a comprehensive and holistic manner for the purpose of providing the Commission with fully-informed options and recommendations. With Commission direction, the NRC expects to continue its evaluation using the analytical resources and stakeholder engagement capabilities of the agency to ensure the consideration of technical and policy issues based on insights from the Fukushima event and to assess whether any regulatory actions are necessary. To support our efforts going forward, the NRC is in the process of establishing a senior-level steering committee reporting to the Executive Director for Operations. In keeping with the agency's open and transparent processes, the NRC's review will include review by the ACRS, dialogue with external stakeholders, including public interest groups; the industry; academia; Federal, State, and local agencies; and members of the public. The NRC will continue to gather the information necessary for us to take a longer, more thorough look at the events in Japan and their lessons for the NRC. Based on these efforts, the agency will take all appropriate actions necessary to ensure the continuing safety of the American public.

M. Fertel

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On behalf of the NRC, I want to thank you for your continued initiatives and efforts related to nuclear safety. The industry's active involvement in the NRC's processes helps us not only fulfill our mission of keeping the American public safe, but it also helps us do our jobs openly and transparently.

Sincerely,

/RA by Martin J. Virgilio for/

R. W. Borchardt
Executive Director
for Operations

M. Fertel

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