October 19, 2011

MEMORANDUM TO: R. W. Borchardt
Executive Director for Operations

FROM: Annette L. Vietti-Cook, Secretary ***/RA/***

SUBJECT: STAFF REQUIREMENTS – SECY-11-0117 – PROPOSED CHARTER FOR THE LONGER-TERM REVIEW OF LESSONS LEARNED FROM THE MARCH 11, 2011, JAPANESE EARTHQUAKE AND TSUNAMI

The Commission has approved the proposed charter with the changes indicated in the attached version.

cc: Chairman Jaczko
Commissioner Svinicki
Commissioner Apostolakis
Commissioner Magwood
Commissioner Ostendorff
OGC
CFO
OCA
OPA
Office Directors, Regions, ACRS, ASLBP (via E-Mail)
PDR

CHARTER FOR THE NUCLEAR REGULATORY COMMISSION STEERING COMMITTEE TO CONDUCT A LONGER-TERM REVIEW OF THE EVENTS IN JAPAN

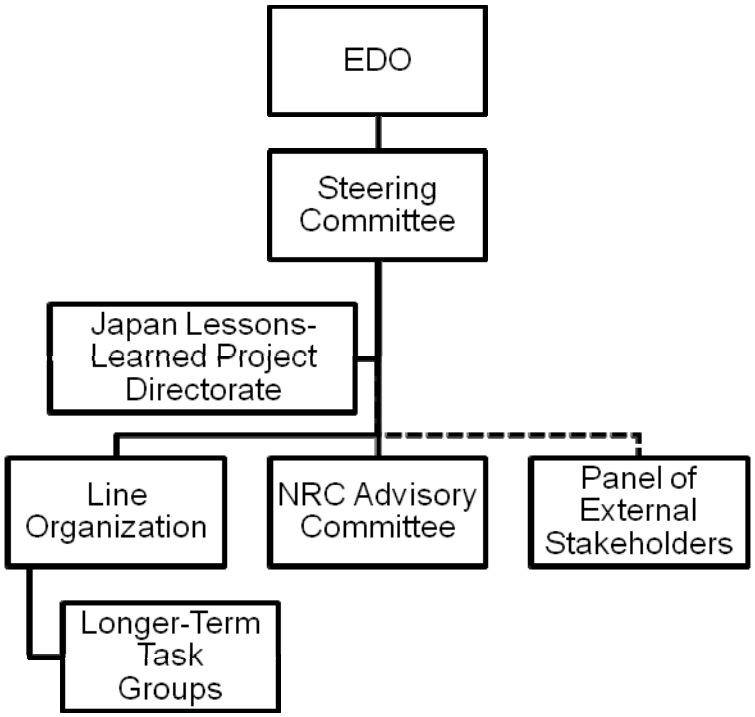
Objective

The purpose of this charter is to establish the structure, scope, and expectations for the Nuclear Regulatory Commission's (NRC's) longer-term review of the March 11, 2011, Japanese earthquake and tsunami. The objective of this effort is to oversee assessment ~~and implementation~~ of the Near-Term Task Force's recommendations, their implementation as directed by the Commission, identify any additional recommendations, and address the items identified for longer-term review in the Chairman's March 23, 2011 tasking memorandum, COMGBJ-11-0002, "NRC Actions Following the Events in Japan," and consistent with the Commission's direction in the Staff Requirements Memoranda (SRMs) for SECY-11-0093, "Near Term Report and Recommendations for Agency Actions Following the Events in Japan," and COMWDM-11-0001/COMWCO-11-0001 – Engagement of Stakeholders Regarding the Events in Japan."

Staffing

As discussed below, the NRC's longer-term review effort will be led by a steering committee, which will report to the Executive Director for Operations (EDO). The steering committee ~~A Japan Lessons-Learned Project Directorate~~ will be responsible for assessing and prioritizing the Near-Term Task Force's recommendations~~, under the direction of the steering committee~~. The steering committee will be supported by the Japan Lessons-Learned Project Directorate, an advisory committee, and a group of external stakeholders. Action items and longer-term evaluations will be completed by the NRC line organization.

The organizational structure of the committee and the groups supporting it is depicted in the figure below:



The steering committee will be chaired by ~~Martin Virgilio~~, the Deputy Executive Director for Reactor and Preparedness Programs, and will consist of the following members:

Senior Managers	Director, Office of Nuclear Reactor Regulation
	Director, Office of Nuclear Regulatory Research
	Director, Office of New Reactors
	Director, Office of Nuclear Security and Incident Response
	Director, Office of Nuclear Material Safety and Safeguards
	Director, Federal and State Materials and Environmental Management Programs
	Region II Regional Administrator
	Region IV Regional Administrator
	~~Cynthia Carpenter~~
	~~Elmo Collins~~
	~~Catherine Haney~~
	~~Michael Johnson~~
	~~Eric Leeds~~
	~~Victor McCree~~
	~~Brian Sheron~~
	~~James Wiggins~~
Senior Technical Assistant	Gregory Bowman
Administrative Assistant	Tina Malone

The Chair of the Steering Committee will be supported by the Japan Lessons Learned Project Directorate. The Director will report directly to the Chair of the Steering Committee. All work to be performed by the Directorate will be assigned by the Steering Committee Chairman.

The steering committee will be supported by an NRC advisory committee, as needed. The advisory committee's role will be to provide advice on legal, international, Congressional, financial, and public affairs issues, and will consist of the following members or successors representing their organizations:

Public Affairs	Scott Burnell
International	Jack Ramsey
Congressional	Raeann Shane
Financial	Gordon Peterson
	Jennifer Golder
Legal	Ed Williamson

The steering committee will ~~obtain~~ solicit information and comments from a panel of external stakeholders, which will include representatives from industry, academia, States, Native American Tribes, and public interest groups. The members of this panel will provide their own individual advice, opinions, and perspectives to the steering committee on the scope and conclusions of the NRC's longer-term review.

The recommendations of the Near-Term Task Force will be evaluated by the steering committee, as directed by the ~~Staff Requirements Memorandum (~~SRM~~)~~ for SECY-11-0093, ~~by~~ with the assistance of the Japan Lessons-Learned Project Directorate. This group will be responsible for working with the line organization, under the direction of the Chairman of the steering committee, to assist the steering committee in the development an assessment of the Task Force recommendations(and other concepts that emerge from stakeholder engagement) to be provided to the Commission. Specifically, the Japan Lessons-Learned Project Directorate will ~~be responsible for~~ coordinate~~ing~~ the development of the following two notation vote papers:

- The 21-day ~~A~~ notation vote paper, ~~submitted within 21 days of the date of~~ as directed by the SRM for SECY-11-0093~~, with recommendations for any actions that should be completed without delay~~.

- ~~A~~ The 45-day notation vote paper, as directed by ~~submitted within 45 days of the date of~~ the SRM for SECY-11-0093~~, providing a recommended prioritization of the Near-Term Task Force recommendations, informed by the steering committee, along with recommendations for obtaining stakeholder input and involvement of the Advisory Committee on Reactor Safeguards (ACRS)~~.

After receiving Commission direction on the papers listed above, the steering committee, assisted by the Japan Lessons-Learned Project Directorate, will be responsible for coordinating all action items and longer-term evaluations approved by either the Commission or EDO, as appropriate, with the line organization.

The line organization will be responsible for completing all action items and longer-term evaluations identified by the Near-Term Task Force and the steering committee that are approved by either the Commission or EDO, as appropriate.

The longer-term task groups will be responsible for completing longer-term evaluations identified by the Near-Term Task Force that were approved by the Commission, or other items identified through engagement with stakeholders, items identified by the steering committee for evaluation, and items specifically required by the 3/23/11 SRM for COMGBJ-11-0002 for longer-term review. Each longer-term task group will be assigned a team leader, who will normally be a member of the Senior Executive Service or a branch chief, and will be comprised of subject matter experts from the appropriate offices. The team leader and task group members will work within the line organization and normally support the longer-term effort on a part-time basis. The task groups will be responsible for completing an evaluation of each issue referred by the steering committee and providing a recommendation for action to the committee, though the lead office.

For the purposes of this charter, the term "action item" refers to regulatory actions such as orders, licensing actions, rulemaking, or generic communications. The line organization, and not the steering committee, will be responsible for providing direct oversight of action items identified during the longer-term review, or action items that were identified previously by the near-term review and referred to the line organization.

Scope

The steering committee's review will include the following:

a. Prioritization and implementation of the recommendations of the Near-Term Task Force or other actions that emerge from stakeholder engagement, ~~As discussed above, the Japan Lessons-Learned Project Directorate, under the direction of the steering committee, will provide the Commission with the staff's evaluation of the Near-Term Task Force's recommendations through the development of the two notation vote SECY papers required by~~ as directed in the SRM for SECY-11-0093.

b. The items specifically required by the COMGBJ-11-0002 tasking memorandum for the NRC's longer-term review, including:

    - Oversight of the line organization's development of specific information on the sequence of events and the status of equipment throughout the duration of the event. In completing this item, the line organization should, as much as possible, leverage any similar evaluations completed or in progress by Tokyo Electric Power Company, the Japanese regulatory authority, other Federal agencies, ~~or~~ as well as other domestic and international organizations.

    - A continued evaluation of any technical and policy issues related to emerging information, to identify potential additional research, generic issues, rulemakings, and adjustments to the regulatory framework or Reactor Oversight Process that should be conducted by the NRC.

    - Evaluation of potential interagency issues, such as emergency preparedness.

c. The longer-term review items identified by the Near-Term Task Force that are approved by the Commission.

d. As required by SRM M110428, to the extent practicable, a comparison between NRC and Japanese regulatory requirements associated with station blackout.

e. As required by the SRM for SECY-11-0093, an assessment of Recommendation 1 provided in the Task Force report. This item should be assigned to a longer-term task group, ~~which should provide a notation vote paper through the line organization and steering committee within 18 months addressing the general approach to be used for dispositioning this recommendation~~.

f. As required by the SRM for COMWDM-11-0001/COMWCO-11-0001, an evaluation of methods to improve communication with the public and other stakeholders. This item should be assigned to a longer-term task group and should address Items 3 and 4 in the SRM.

The scope of the steering committee's review will include power and non-power reactors, non-operating reactors, and non-reactor NRC licensees.

~~Any a~~Action items ~~identified during the course of the committee's review~~ will be referred to the line organization to complete. The steering committee will not be responsible for providing direct oversight of these action items, but should maintain awareness of the staff's progress (e.g., through periodic briefings from the line organization) and include status updates of any action items in the periodic Commissioner updates discussed below.

Coordination and Communications

The steering committee will:

- Ensure that, for each proposed activity, the Commission is provided with an estimate of any resource impacts on other regulatory activities that exceed the reprogramming threshold of $500,000 or four full-time equivalent staff. This information ~~can~~ should be provided to the Commission either through an information paper~~,~~ or memo to the Commission~~, or briefing of the Commissioners' technical assistants~~.

- Coordinate development of a panel of external stakeholders. This panel should ~~advise~~ provide individual member views to the steering committee, and include representatives from industry, academia, States, Native American Tribes, and public interest groups. The panel should be established early in the NRC's longer-term review, before the scope of the review has been fully developed. Membership and participation on this panel is not static and may be subject to change during the course of the longer-term review.

- Solicit broad stakeholder input, as appropriate. The steering committee will interface with a broad array of external stakeholders (e.g., through public meeting or *Federal Register* notices), and should also hold a public meeting with the panel of external stakeholders to obtain their own individual advice, opinions, and perspectives on items to be included in the scope of the longer-term review. The steering committee should also obtain feedback from stakeholders on the process for communicating the results of the longer-term review. This information should be evaluated in addressing Item f. in the Scope section.

- Brief the ACRS on the planned scope of the longer-term review shortly after obtaining and evaluating external stakeholder input and periodically during the course of the review. The steering committee shall also work with ACRS to obtain formal ACRS

review of the Task Force's recommendations and the NRC's assessment of the recommendations, ~~completed as described in Item a. in the Scope section~~ provided in the 45-day notation vote paper from the SRM for SECY-11-0093.

- Coordinate and cooperate with other domestic and international efforts reviewing the events in Japan for additional insights, as appropriate.

- Update and brief internal stakeholders during the course of the longer-term review. The steering committee will provide periodic status reports to the EDO, and will notify the EDO and Commission promptly if any issues are identified that require immediate action by the NRC.

- Hold public meetings with the panel of external stakeholders prior to providing each periodic update to the Commission. Significant comments from the panel should be brought to the attention of the Commission.

- Provide recommendations to the Commission as Notation Vote papers for any policy issues identified.

- Provide recommendations to the EDO for any actions not involving policy issues.

- Develop ~~a~~ communications plans, as appropriate~~. The communication plan shall~~ to (1) include a mechanism for providing the public with the NRC's most up-to-date understanding of the chronology of events at Fukushima Dai-ichi and the agency's current understanding of the plant's status, and (2) deliver a consistent and accurate message to all stakeholders in a timely fashion about regulatory actions and activities arising from agency decisions on Near Term Task Force recommendations.

Expected Products and Schedule

The ~~Japan Lessons-Learned Project Directorate's~~ steering committee's review ~~should~~ begi~~i~~an after the issuance of the SRM associated with SECY-11-0093. ~~The remainder of the longer-term review should begin as soon as the NRC has sufficient technical information from the events in Japan to support the review, and should evolve to accommodate new issues as more information becomes available.~~

The staff will provide the Commission with the following SRM-required products:

- As required by the SRM for SECY-11-0093, a notation vote paper ~~will be~~ was provided to the Commission within 21 days of the date of the SRM. ~~This paper will provide the Commission with recommendations for any actions that should be implemented without further delay.~~

- As required by the SRM for SECY-11-0093, a notation vote paper ~~will be~~ was provided to the Commission within 45 days of the date of the SRM. ~~This paper will provide the Commission with a recommended prioritization of the Near-Term Task Force recommendations, including a plan for obtaining stakeholder input on the recommendations and involvement of the ACRS.~~

- As required by the SRM for SECY-11-0093, a notation vote paper will be provided to the Commission within 18 months of the issuance of the SRM~~, providing the staff's general approach for dispositioning Task Force Recommendation 1~~.

- As required by SRM M110428, Item d. in the Scope section above should be provided to the Commission in the form of a Commissioners' Assistants note. ~~This action should be completed once sufficient information is available from the Japanese regulator to complete such an analysis.~~

- As required by the SRM for COMWDM-11-0001/COMWCO-11-0001, a notation vote paper will be provided to the Commission within 6 months after public release of the Near Term Task Force report to address communication enhancements that could be taken by the agency.

Additional notation vote papers ~~may~~ will be provided to the Commission periodically during the course of the longer-term review ~~if~~ when action items are identified which require Commission approval.

For the next 24 months, ~~T~~the ~~steering committee~~ staff should provide ~~will update~~ the Commission with a ~~on the~~ status update ~~of the longer-term review within~~ every 6 months in the form of a SECY paper ~~of starting and periodically thereafter. These updates will be provided through either a Commission meeting, briefing of the Commissioners' technical assistants, or SECY paper.~~ The update should review the work conducted under the charter, highlight potential policy issues for Commission consideration, and provide recommendations regarding the sunset of the Steering Committee, Advisory Committee and the Project Directorate.

The longer-term review will conclude when all longer-term evaluations have been completed and regulatory actions identified, and those regulatory actions have been referred to the NRC line organization for action using existing processes (e.g., the rulemaking process). The committee will provide its observations, conclusions, and recommendations in the form of a final SECY paper to the Commission at the conclusion of the longer-term review. This report will be released to the public via normal Commission processes. The SECY paper transmitting the final results of the longer-term evaluation will be provided to ACRS for review.

Changes to the Charter

Modification of or changes to t~~T~~his charter require Commission approval. ~~will be treated as a "living document," and t~~The staffing, scope, coordination and communication, and products and schedules associated with this review may be changed at the discretion of the steering committee, with approval of the EDO~~, to adapt to new developments, additional information associated with the event, or recommendations from internal or external stakeholders. The charter may also be revised in response to Commission direction. Commission approval is required to make any changes associated with items in the charter that are required by~~ and the Commission ~~through an SRM~~.