

June 8, 2012

Mr. David Lochbaum
Director, Nuclear Safety Project
Union of Concerned Scientists
P.O. Box 15316
Chattanooga, Tennessee 37415

Dear Mr. Lochbaum:

On behalf of the Commission, I am responding to your letter dated November 22, 2011, in which you asked the U.S. Nuclear Regulatory Commission (NRC) to set target dates for resolving the generic issues and implementing the lessons learned from the recent tragic events at the Fukushima Dai-ichi facility in Japan.

The NRC is committed to using sound technical bases to inform regulatory decision making, to fulfill our statutory mandate to provide reasonable assurance of adequate protection of public health and safety, and to promote the common defense and security. Developing such technical bases, especially on broad issues or following major events, often requires significant investigation, analysis, and testing. As you observe in your letter, the NRC reports to the U.S. Congress semiannually on the status of generic issues, and these reports include current target dates for milestones toward resolution. The report you referenced in your letter was dated June 2, 2011, and the previous report was dated November 30, 2010; the most recent version was dated November 9, 2011.

Timely resolution of safety issues is important. In fact, the Generic Issue Program was changed about 4 years ago in an effort to improve timeliness. The change created centralized leadership for management of generic issues and strengthened the involvement of the NRC's regulatory offices; it enhanced the screening process to consistently apply criteria and employ risk-informed techniques for timely assessment of issues; and it enhanced the NRC staff's ability to obtain early involvement of key stakeholders, as appropriate. Having gained some experience implementing the improved program, the agency is again studying the program for additional refinements that could improve its effectiveness and timeliness. By definition, generic issues do not fit into an existing regulatory process and tend to be technically complex. Other factors that affect the longevity of a generic issue include the need for research to confirm and characterize an issue, engagement of public stakeholders, and verification that changes have been implemented by all affected licensees before reporting to Congress that an issue is complete. However, safety benefits are gained by licensee implementation of changes long before verification is complete.

The NRC develops regulatory positions in a manner that is as open and transparent to the public as practicable. As evidenced by your letter's references and links to the NRC's public Web site, the agency endeavors to share publicly as much information as feasible and encourages external stakeholder participation in the regulatory process. The agency's regulatory response to the tragic events at the Fukushima facility is no exception. The NRC's Near-Term Task Force on Fukushima briefed the Commission multiple times in public meetings, and the agency has posted on the NRC public Web site the Task Force's report and recommendations, as well as links to analyses, transcripts, and much more, including testimony the Commission and members of the NRC staff provided to Congress.

The Task Force found that the continued operation and licensing of nuclear power plants does not pose an imminent risk to public health and safety. Nonetheless, the Task Force made recommendations which will serve to clarify and strengthen the existing regulatory framework for nuclear power plants. These recommendations are structured around the focus areas of the NRC's defense-in-depth philosophy as applied to protection from natural phenomena, mitigation of prolonged station blackout events, and emergency preparedness.

The Commission received the Task Force report in July 2011 and 3 months later, on October 18, 2011, approved a series of actions from the report to be initiated without delay, as provided in SECY-11-0124. In its direction to the staff, the Commission set a goal of completing and implementing the lessons learned from the Fukushima accident within 5 years. The actions taken to date include:

- Issuing orders requiring mitigation strategies for beyond-design-basis external events (EA-12-049, Agencywide Documents Access and Management System (ADAMS) Accession No. ML12054A735, dated March 12, 2012).
- Issuing orders to require reliable containment vent systems at boiling water reactors with Mark I and II containments (EA-12-050, ADAMS Accession No. ML12054A694, dated March 12, 2012).
- Issuing orders to enhance spent fuel pool instrumentation (EA-12-051, ADAMS Accession No. ML12054A679, dated March 12, 2012).
- Issuing a request for information, asking each reactor licensee to reevaluate the seismic and flooding hazards at its site using present-day methods and information, conduct walkdowns of its facilities to ensure protection against the hazards in its current design basis, and reevaluate its emergency communications systems and staffing levels, including for multiunit events (ADAMS Accession No. ML12056A046, dated March 12, 2012).
- Publishing advanced notices of proposed rulemaking to consider new requirements to enhance the ability to deal with an extended station blackout and to integrate emergency response procedures. The Commission designated the station blackout rulemaking efforts as high priority and established a completion goal of 24 to 30 months, well ahead of typical schedules for complex, technical rulemakings (*Federal Register notices* 77 FR 16175, NRC-2011-0299, dated March 20, 2012; and 77 FR 23161, NRC-2012-0031, dated April 18, 2012).

Further details on the actions and documents described above, as well as others pertaining to the NRC's actions in response to the events at the Fukushima Dai-ichi facility in Japan, can be found on the NRC's public Web site.

The Commission is committed to its mission of ensuring protection of public health and safety. I want to express appreciation for your interest in nuclear safety and look forward to your continued participation in the regulatory process.

Sincerely,

/RA/

Gregory B. Jaczko