

August 19, 2011

The Honorable Joseph I. Lieberman
Chairman, Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am writing to describe the actions planned in response to the recommendations identified in the U.S. Government Accountability Office (GAO) report GAO-11-563, "Oversight of Underground Piping Systems Commensurate with Risk, but Proactive Measures Could Help Address Future Leaks," dated June 21, 2011. I agree with the two GAO recommendations directed to me and the staff has activities underway to address them.

GAO recommended that I direct agency staff to "periodically evaluate the extent to which the industry's voluntary Groundwater Protection Initiative will result in prompt detection of leaks and, based upon these evaluations, determine whether the agency should expand its groundwater monitoring requirements." The NRC routinely inspects nuclear power plant licensees to verify continued implementation of licensee Groundwater Protection Initiative programs, to review records of identified leakage and spill events, to assess whether the source of the leak or spill was identified and mitigated, and to review any remediation actions taken for effectiveness. Through NRC's inspections of licensee programs, the agency is able to regularly review the status of industry implementation of the Groundwater Protection Initiative and determine the need for expanding groundwater monitoring requirements. The Commission has recently reviewed the groundwater protection issue and issued a staff requirements memorandum for the groundwater protection program (Agencywide Documents Access and Management System [ADAMS] Accession No. ML112270292). Additionally, the staff recommended in a recent paper (SECY-11-0076) that the Commission endorse its efforts to enhance the Regulatory Oversight Process (ROP) to emphasize defense in depth through prevention, detection, and mitigation of groundwater contamination. Inherent in this recommendation is a staff commitment to work with internal and external stakeholders.

Second, GAO recommended that I direct agency staff to "stay abreast of ongoing industry research to develop technologies for structural integrity tests and, when they become feasible, analyze costs to licensees of implementing these tests compared with the likely benefits to public health and safety. Based on this analysis, NRC should determine whether it should expand licensees' inspection requirements to include structural integrity tests for safety-related underground piping." The NRC is actively staying abreast of industry research efforts to determine whether regulatory requirements should be expanded. The agency has established milestones in the staff's Buried Piping Action Plan (ADAMS Accession No. ML102590171) to periodically assess both the performance of available technology and the need to make changes to the current regulatory framework.

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The NRC appreciates the opportunity to share its planned actions to implement the recommendations discussed in the GAO report. Should you have any questions, please contact Ms. Rebecca L. Schmidt, Director of the Office of Congressional Affairs, at (301) 415-1776.

Sincerely,

/RA/

Gregory B. Jaczko

cc: Senator Susan Collins

Identical letters sent to:

The Honorable Joseph I. Lieberman
Chairman, Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, D.C. 20510
cc: Senator Susan Collins

The Honorable Harold Rogers
Chairman, Committee on Appropriations
United States House of Representatives
Washington, D.C. 20515
cc: Representative Norm Dicks

The Honorable Daniel K. Inouye
Chairman, Committee on Appropriations
United States Senate
Washington, D.C. 20510
cc: Senator Thad Cochran

The Honorable Darrell Issa
Chairman, Committee on Oversight and
Government Reform
United States House of Representatives
Washington, D.C. 20515
cc: Representative Elijah Cummings