

May 12, 2014

The Honorable Thomas Carper  
Chairman, Committee on Homeland  
Security and Governmental Affairs  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am writing to provide the NRC's response to the U.S. Government Accountability Office (GAO) recommendations in GAO-14-109, "*Nuclear Safety: Countries' Regulatory Bodies Have Made Changes in Response to the Fukushima Daiichi Accident*" (Report) dated March 2014.

In its report, the GAO reviewed nuclear power programs with respect to actions taken following the March 2011 accident at Japan's Fukushima Daiichi nuclear power plant. Specifically the GAO examined (1) the actions nuclear regulatory bodies from selected countries have taken to strengthen nuclear safety; (2) the extent to which these countries have established automated systems to collect and transmit accident data; and (3) steps key international organizations have taken to support nuclear regulatory bodies and promote nuclear safety worldwide since the accident.

GAO Recommendation 1: The GAO recommended that the Secretary of State, in coordination with the NRC Chairman, work with and encourage officials from the International Atomic Energy Agency (IAEA) to systematically track the status of the recommendations made by IAEA peer review missions and make this information publicly available to the extent feasible.

NRC Response: The NRC has consulted on this recommendation with the Department of State (DOS) which would have the lead in discussions with the IAEA. The NRC will continue to work with DOS to discuss the feasibility of the GAO recommendation with IAEA and its Member States.

GAO Recommendation 2: The GAO recommended that the NRC consider expediting the decision on whether or how to upgrade its automated system for transmitting key reactor data, the Emergency Response Data System (ERDS) so that it would remain functional during a nuclear accident to increase NRC's access to timely, accurate, and comprehensive information.

NRC Response: In 2011, the staff considered how to disposition all items related to the ERDS (e.g., data set sufficiency, alternate methods of transmission, and continuous communication). A system modernization initiative was already underway and was completed in June 2012. All licensees are now transmitting information via a virtual private network. The staff designated further system enhancements as a Tier 3 item (requiring further staff study to

support a regulatory decision).<sup>1</sup> The basis for this designation was that the Emergency Response Data System supplements other methods for obtaining information that currently exist in licensee, NRC, and State incident response plans and procedures (e.g., NRC site teams, Emergency Notification System, and communication protocols between the licensees and the States). In addition, in response to the NRC's request for information (10 CFR 50.54(f) letter) regarding the Near-Term Task Force Recommendation 9.3 (communications), licensees are implementing measures to maintain continuous communication with State and local emergency response officials and the NRC during an emergency. The GAO recommendation, albeit requesting acceleration, reaffirms the NRC view that this issue should be evaluated. The NRC staff believes that the GAO report does not provide any new information that would bring into question the prioritization of this issue. The NRC believes that there would be an adequate response to an accident involving a nuclear power facility within the United States, whether or not ERDS was available to the NRC and State response organizations. Thus, the NRC believes that the decision to pursue other higher priority enhancements that can mitigate an accident in advance of evaluating additional ERDS upgrades remains the correct decision.

The NRC considers this GAO recommendation closed.

The NRC appreciates the opportunity to comment and to identify the agency actions that have been, or are being taken regarding the recommendations in the GAO Report. If you need any additional information, please contact me or Amy Powell, Acting Director of the Office of Congressional Affairs, at (301) 415-1673.

Sincerely,

**/RA/**

Allison M. Macfarlane

cc: Senator Tom Coburn

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<sup>1</sup> SECY-11-0137 "Prioritization of Recommended Actions to be taken in Response to Fukushima Lessons Learned," dated October 3, 2011.

Identical letter sent to:

The Honorable Thomas Carper  
Chairman, Committee on Homeland  
Security and Governmental Affairs  
United States Senate  
Washington, DC 20510  
cc: Senator Tom Coburn

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

Mr. David C. Trimble, Director  
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U.S. Government Accountability Office  
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