

November 1, 2006

MEMORANDUM TO: Chairman Klein
Commissioner McGaffigan
Commissioner Merrifield
Commissioner Lyons

FROM: Gregory B. Jaczko */RA/*

SUBJECT: IMPROVING THE AWARENESS AND RESPONSE TO UNPLANNED
RELEASES

The existence of preexisting leaks and unmonitored releases at nuclear power plants around the country requires additional Commission attention. In the short term, these events complicate the day-to-day operation of the plant and damage public confidence in the agency. In the long term, they pose decommissioning challenges.

To address these issues, the Executive Director for Operations established the Liquid Radioactive Release Lessons Learned Task Force. The task force conducted a comprehensive evaluation of plant events involving unplanned and unmonitored releases as well as an evaluation of NRC processes to determine areas for improvement. The task force ultimately concluded that the recent tritium releases did not result in any instances where the health of the public was impacted. But the task force did identify that the potential exists for unplanned and unmonitored releases of radioactive liquids to migrate offsite into the public domain undetected. The agency should be able to assure the public that this will not occur and explain the steps that we plan to take to prevent such a possibility. Our inability to do so thus far has not only eroded public confidence, but has also consumed vast agency resources. I believe it is precisely this type of issue that the agency would benefit from following in the Lessons Learned Program.

The Lessons Learned Oversight Board reviewed the recommendations provided by the task force against the four criteria necessary for submission into the Lessons Learned Program (LLP). Eighteen of the 30 recommendations met three of the four criteria, but none of the recommendations met all four of the criteria. Thus, none of the recommendations were entered into the LLP. While I understand that all the recommendations will nonetheless be tracked and ultimately closed out under the staff's traditional tracking system, none of the recommendations will receive the "gold-plating" associated with treatment of an item followed through the LLP. Entry into the LLP would require implementation of a formal corrective action program and documented follow-through, thus enabling the public to easily follow the agency's response to this issue. Moreover, it would allow the agency to be able to ensure that we not only correct the problem, but that we learn from it as well. It was this lack of visible oversight that raised so many concerns regarding the tritium leaks in the first place.

Therefore, I believe the 18 task force recommendations that met three of the four criteria, including the first criteria - that of the item having significant organizational, safety, security, emergency preparedness, or generic implications - should be entered into the Lessons Learned Program. In doing so, the Commission will ensure that a formal corrective action program is established for these items making the public more informed and the NRC more aware of these issues now and into the future.

SECY, please track.

cc: EDO
OGC