



NRC NEWS

U.S. NUCLEAR REGULATORY COMMISSION

Office of Public Affairs

Telephone: 301/415-8200

Washington, DC 20555-001

E-mail: opa@nrc.gov

Web Site: <http://www.nrc.gov/OPA>

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NUCLEAR REGULATORY COMMISSION SEEKS PUBLIC COMMENTS ON NEW REACTOR ALLEGATIONS OPTIONS

The Nuclear Regulatory Commission is seeking comments on how it should structure its allegation program under the agency's revised reactor oversight process.

The NRC has a long-established allegations program to provide a mechanism for individuals to identify safety and regulatory issues directly to the agency. To encourage individuals to do so, the program includes provisions to protect the identity of the individual, to provide for timely resolution of the issue, and to communicate the NRC's actions on the issue with the person who raised the allegation. For those persons who do not want the licensee or employer to know they have raised an issue, the agency's policy is to take all reasonable measures to protect their identity.

With a high percentage of allegations received currently resolved through NRC evaluations and inspections, changes in the inspection program resulting from the revised reactor inspection and oversight process could affect the allegation program. Under the agency's revised reactor oversight process -- now being tested at 13 plants at nine sites in a pilot program -- the scope of activities inspected under the baseline inspection program is more clearly defined and risk-informed than before. Conducting an inspection or an evaluation quickly to resolve a safety or risk significant allegation is consistent with this risk-informed approach. However, for allegations with less safety or risk significance, the current program's emphasis on timely resolution could revise or add inspections, when the safety or risk significance associated with the issue may not warrant that kind of response.

There is also less flexibility within the baseline inspection program to inspect issues emerging from allegations. Consequently, a licensee may be more likely to conclude that an inspection resulted from an allegation. If a licensee or employer realizes that an inspection is allegation related, this could increase the potential for the licensee or employer to deduce the identity of the allegor. As a result, individuals may be less inclined to provide safety or regulatory issues to the NRC, or provide such issues to the NRC without first raising them internally.

The Commission, therefore, is considering four options for the allegations program:

- (1) Keep the existing program.
- (2) Base timeliness of resolution of allegations on the existing inspection schedule.
- (3) Base NRC's review of allegations on their risk significance.
- (4) Base NRC's review of allegations on risk significance, except if the allegor objects to this approach.

Persons who wish to provide comments on the proposed changes to the allegation program should be as specific as possible and use examples. These include determining which of the options in the Commission paper will strike the best balance between the efficient use of agency resources and the need for those individuals making the allegations to feel confident that their issue will be addressed and their identity will be protected, if they so desire. Respondents should consider whether the options for resolving allegations enhance public confidence. The NRC encourages respondents to propose other options as well.

At the conclusion of the public comment period, the NRC will schedule a public meeting at its headquarters in Rockville, Maryland, to discuss comments and options for revising the allegation program.

As described in a Federal Register notice published today, comments should be submitted either by e-mail or regular mail. Submit written comments to: Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, Mail Stop: T-6 D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001. Electronic comments may be submitted via e-mail at NRCREP@NRC.gov. Hand deliver comments to: 11545 Rockville Pike, Rockville, Maryland, between 7:45 a.m. and 4:15 p.m. on federal workdays. Copies of comments received may be examined at the NRC's Public Document Room, 2120 L Street, N.W. (Lower Level), Washington, D.C.

Additional details on proposed options are available in the agency's November 23, 1999, paper, entitled "Impact of Changes to the Inspection Program for Reactors on Implementing the Allegation Program," (SECY 99-273), which may be obtained at the following web site:
<http://www.nrc.gov/NRC/COMMISSION/SECYS/index.html>.

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