

1 UNITED STATES OF AMERICA
2 NUCLEAR REGULATORY COMMISSION
3 ***
4 ROUNDTABLE PUBLIC MEETING ON THE
5 REVISED REACTOR OVERSIGHT PROCESS

6 Radisson on John Deere Commons
7 1415 River Drive
8 Moline, IL
9 Wednesday, January 19, 2000

10 The above-entitled meeting commenced, pursuant to notice, at
11 7:00 p.m.

12 PARTICIPANTS:

13 PAM ALLOWAY-MUELLER, NRC
14 GEORGE BARNES, Commonwealth Edison
15 WALLY BECK, Commonwealth Edison
16 LAURA COLLINS, NRC
17 DAVID DeBARRE, Rock Island Cty. Emer. Services
18 ROLAND LICKUS, NRC
19 ALAN MADISON, NRC
20 AUGUST SPECTOR, NRC
21 CHUCK PETERSON, Commonwealth Edison
22 MARK RING, NRC
23 DAN ROSENBLUM, Environmental Law & Policy Center
24 PETE SANDERS, Commonwealth Edison
25 CECIL SETTLES, Illinois Dept. of Nuclear Safety
KATHY STODOLA, State of Iowa Emergency Management
DAVID TUBBS, Mid-American Industries
KEITH WALTON, NRC

P R O C E E D I N G S

[7:00 p.m.]

MR. SPECTOR: I would like to welcome everyone here tonight. I know the weather is terrible. We don't have to go over that, and hopefully we'll all get back home safely, too, after the meeting.

This is the NRC Roundtable Meeting, Public Roundtable Meeting, to talk about the Revised Reactor Oversight Program. And the way we're going to work this tonight is a little different than maybe other public meetings that NRC has held in the past, at least on the reactor side of the house.

What we're going to do is we're going to have a roundtable discussion. Basically what we're going to try to do is just go around and get you all to give us some information about your reflections on the new reactor oversight program.

Some of you have been invited. Dave, I think, and Kathy, and there might be a few others here, I don't know, and some people might be coming late, but the weather is a problem. We invited people -- emergency management directors; we invited local mayors, and other public citizens within the local jurisdiction here of the plant.

Unfortunately, some of those people called me yesterday and the day before. Because of the snow and other problems, they physically are not going to be able to come.

You should have received a list of questions that we're going to cover and some information on the web site. I don't know. Have you -- Kathy, did you get a chance to look at any of that?

MS. STODOLA: I did not.

MR. SPECTOR: Okay. And, Dave, you did look at some of it.

MR. DeBARRE: Yes. In fact, we sent that back to you, I believe.

MR. SPECTOR: Yes. I got your form back.

MR. DeBARRE: Yes.

MR. SPECTOR: Very good.

The way we're going to conduct this is first we're going to start with Al Madison, and Al is with NRR in Washington, and he's the task force leader for this project. Al's going to give an introduction to the program, so we all kind of have a pretty good understanding of the basics of the new program.

Then after he's done, I'll facilitate a little roundtable discussion where we'll get some feedback. So, Al.

MR. MADISON: I'm going to ask everybody first to try to keep me honest. I just heard Augie use an acronym, NRR. If I do that, raise a hand, and make me explain what that is if you don't understand it. NRR, Nuclear Reactor Regulation, that's the office that Augie and I work in. And as Augie said, I'm the task force leader for this particular project, which is the revision of the oversight process.

And what I'm going to try to do, for those folks -- part of the price of admission to come to this meeting was the material that Augie sent out, to review some of that, get some familiarity with the program. Hopefully, you've had a chance to visit our web site and see what's on there, so you can kind of comment intelligently on the questions Augie's going to talk about.

But what I'm going to try to do is give kind of the 50,000-

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1 foot view level of the program. We were out in early summer, late
2 spring, to talk about, in detail, somewhat about the program. I don't
3 want to repeat that, because that's -- we were more explaining, kind of
4 giving information. This evening is more meant for collecting feedback
5 from you folks and some input.

6 Normally at the roundtables -- Augie may not have -- we have
7 strictly kept it to the public representatives at the table. Because it
8 is small, the weather causing the small meeting, we've gone ahead and
9 invited, you'll notice, some of the -- what we call the licensee, the
10 utility to join us at the table for the discussion.

11 We'll try to keep it informal. We'll try to keep it kind of
12 a working level meeting, where we can just share ideas and share
13 concepts. Anytime you have a question along the way -- I hope not to
14 spend a whole of time standing here, but anytime you have a question,
15 please feel free to stop me and ask.

16 What we're going to cover this evening -- if you want to
17 follow me on the slides, you can -- is kind of who we are. This is kind
18 of a lesson learned that we -- from the first few public meetings we've
19 gone on. A lot of folks really don't know what the Nuclear Regulatory
20 Commission is and who we are, so we're going to do a little bit of that.

21 We'll talk, as I said, a brief overview of the revised
22 program, and then Augie wants to get into the roundtable discussion and
23 collect some input from you folks. Now, generally, we have an audience.

24 All the other public meetings, we've had a large group of folk that
25 weren't at the table, and we've offered them the opportunity at the
close to provide input to us as well. I don't think we'll have to do
that this evening.

Who we are: The Nuclear Regulatory Commission -- we're a
federal agency. You'd be surprised how many folks I really have to tell
that to. I work for the Federal Government. We are the federal agency,
given the responsibility, the mission, of ensuring adequate protection
of public health and safety in the operation, in this particular case,
of commercial nuclear reactors that produce electricity.

Who we are, in reality, though, are some of the faces you
see at the table here before you, and we probably ought to go around and
introduce everybody, but I want to point out two folks, to key folks
here at the table. Keith Walton and Laura Collins are the resident
inspectors at the site. They're the full-time NRC presence at the
utility; in other words, the Federal Government in action at the site.

There's a third -- he's called the senior resident
inspector, Chris Miller, and he's their boss, but that gives you three
NRC full-time folks at the site. We also have with us this evening Mark
Ring from the Region III office out of Chicago. And how often are you
out here, Mark?

MR. RING: Roughly once or twice a month maybe.

MR. MADISON: Yes. Once or twice a month. We also have out
at the site, in a cooperative arrangement, the State of Illinois. We
have Cecil Settles from the Illinois Department of Nuclear Safety.

MR. SETTLES: Very good.

MR. MADISON: And Cecil also has out at the site a resident
inspector. What's his name? I've forgotten.

MR. SETTLES: Bob Ganzer.

MR. MADISON: Bob Ganzer. So Illinois also has and

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1 cooperates with us and participates in our inspection activities. And
2 we've -- they've participated in the development of this program by
3 coming to the public meetings, and they've also been trained in the
4 program, gone to the training opportunities we've offered our own
5 inspectors on the program, so they're fully involved in the process.

6 And right now, I guess, would anybody else like to introduce
7 themselves? George, do you want to start with you?

8 MR. BARNES: I'm George Barnes. I'm the station manager at
9 the Quad Cities Nuclear Power Station.

10 MS. STODOLA: I'm Kathy Stodola. I'm with the Iowa
11 Emergency Management Division.

12 MS. ALLOWAY-MUELLER: I'm Pam Alloway-Mueller, public
13 affairs for Region III, Nuclear Regulatory Commission.

14 MR. TUBBS: I'm Dave Tubbs with Mid-American Energy, the 25
15 percent co-owner.

16 MR. WALTON: Keith Walton, resident inspector at the Quad
17 Cities station.

18 MS. COLLINS: Laura Collins, resident inspector.

19 MR. DeBARRE: Dave DeBarre, director, Rock Island County
20 Emergency Services.

21 MR. LICKUS: I'm Roland Lickus. I'm with the NRC, Region
22 III office, and I'm in the state and government affairs.

23 MR. PETERSON: I'm Chuck Peterson, the reg assurance manager
24 at Quad Cities.

25 MR. SANDERS: Pete Sanders with ComEd NGG at their corporate
office.

MR. RING: I'm Mark Ring out of the regional office of the
NRC in the Chicago area, and I work very closely with Keith, Laura, and
Chris Miller.

MR. SETTLES: I'm Cecil Settles, Illinois Department of
Nuclear Safety.

MR. BECK: I'm Wally Beck, reg assurance out at Quad Cities,
and I've been coordinating the station's pilot activities for the new
process.

MR. MADISON: Thanks, Wally.

All right. That kind of is who we, the NRC, are and who
everybody is here at the table. What we're going to talk a little bit
about, then, is our new process.

Some of the objectives of the new process, some of the goals
we were trying to achieve have to do with trying to make -- come up with
a single process; provide a framework that focused on key areas that are
most important to safety, and to focus our resources on those things
that are most important to safety and protection of public health.

We feel that the new process provides for the collection of
essential information in each of several key areas that we've
identified, and I'll kind of describe those key areas a little bit later
on. But it also provides some objective standards for measuring
licensee performance in those key areas, and then also clearly defines
the actions that we, the NRC, are going to take when those performance
standards aren't met.

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One of -- the clear focus, though, is still, a continuing
emphasis, on safety, as it has always been as our primary goal. There
are strict standards that are still applicable. We've done nothing with

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1 the -- as part of the process does not change the regulations. The
2 regulations as they stand as a body still apply, and the licensee is
required by law to meet those standards. We're not changing that.

3 We still have the -- the focus is still on safety, as I
4 said, and we still monitor the results. We still have the inspectors on
site in our program, to monitor the licensee's performance through the
inspection program.

5 The -- one of the key differences that's highlighted on the
6 bottom here is that in the previous program, we utilized primarily an
inspection activity, and we utilized our enforcement as our primary
7 focus. We utilized the violations level, whether it was a violation or
not, as our focus for assessment of licensee performance. We're not
8 doing that anymore; it's not -- we're focusing more on the safety aspect
of the issue, whether or not it's a violation.

9 Key aspects of the new program, some key elements of it: As
I mentioned earlier, we have a baseline inspection program. This is the
10 minimum inspection activity at any licensee, regardless of their
performance, is defined by the baseline inspection program. I'll go
11 into a little bit about how that was defined.

12 We're now utilizing what we're calling performance
indicators. These are not measures, but they look like measures.
13 They're numbers. It's a numerical, quantitative measure of -- indicator
of licensee performance in some of the key areas that we think are
important to safety.

14 We use those as indicators, to determine whether or not we
should take additional action. We use the inspection program as kind of
15 an indication of whether the licensee should get more involved in the
activities of the licensee.

16 We've established what we call thresholds for action. This
17 is what I was getting back to, some of those clear standards and clear
criteria. This determines -- if a licensee passes or crosses these
18 thresholds, then we need to get more engaged; we, the NRC, need to get
more engaged in the activities at the site. We need to look further and
19 closer into those activities.

20 And there's an action matrix as part of the program that
we've established, that tells the public, tells the licensee, what
21 actions, what range of actions, we're going to consider, and what we're
going to do, depending upon their performance.

22 And, again, as I mentioned earlier, enforcement is now --
instead of being one of the major inputs and one of our major
23 considerations -- it's still an outcome; there's still enforcement
actions to be taken. But it's not our strict measure. Safety is our
24 strict measure.

25 One of the goals of the program, one of the outcomes, how we
measure our program -- these four were identified fairly early in the
program, of how are we going to measure our performance in this; how are
we going to judge ourselves, whether or not we succeed with development
of any program, any oversight program.

26 You may have seen these already. I know they're mentioned
in a lot of our material, as our key outcome measures. Maintain safety,
27 number one. Any program that we develop in the Agency, the number one
goal is the maintenance of safety.

28 Number two goal is enhancing public confidence. That's one

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1 of the reasons why we're out here, doing these meetings, trying to find
2 out, what does that mean. What do we have to do? It's not clearly
3 defined. Public confidence is not a clearly defined thing. How do you
4 go out and measure public confidence? It's not easy to do.

5 Improving effectiveness and efficiency and the realism.
6 Effectiveness and efficiency are kind of easy to understand. We're a
7 government agency, and as many government agencies, probably your own,
8 we have budget considerations. We have to find a better way of doing
9 business, because budgets are getting tighter.

10 So we had a process we thought was fairly inefficient and
11 burdensome on ourselves and on licensees, as well as on the taxpayer.
12 We have to find a better way of doing business. We have to get more
13 effective, more efficient, and focus on the right things, and that's the
14 goal of the program.

15 The realism issue gets more into the idea of the research
16 and the measures that we use, whether they're realistic measures, and
17 that's not an easy one to understand. I'm not quite sure why that was
18 added.

19 The last one is reducing unnecessary regulatory burden. I
20 want to focus on the word "unnecessary." We're a regulatory body. We
21 will be a burden. Right? We are a burden. We're going to be a burden.

22 That's our job. But there are certain aspects of the old program that
23 were considered unnecessary, because they weren't focused on safety. We
24 can stop doing that part, and that's what the program is meant to do.

25 Any questions so far?

[No response.]

MR. MADISON: All right. Our current program -- and I'm not
going to go into a lot of detail, but our current program basically is
not really one program. It's a collection of processes. We've grown up
over the last, the NRC, 25 years. We have our 25th anniversary this
year. But even before that with the AEC, it was a collection of
regulations, a body of knowledge --

MS. ALLOWAY-MUELLER: AEC?

MR. MADISON: Oh, I'm sorry. Thank you. Atomic Energy
Commission.

We used to be the Atomic Energy Commission. In 1975, they
split us off, and they spun off the Nuclear Regulatory Commission from
the AEC. And the concept was to -- the Atomic Energy Commission had
the -- was charged with both promotion and regulation of nuclear energy,
and they thought there was a conflict there.

So they said, All right; let's spin off two agencies, and
they actually started up the Energy Research and Development Agency,
ERDA, and that later became the Department of Energy now, DOE, and the
Nuclear Regulatory Commission, and NRC was charged, then, with the
regulation of it, and DOE was charged with the other parts of it.
Whether or not they've done a good job is a good question.

But we had a collection of different processes, and we
developed and we've added to those processes, and this has been part of
the problem. As we come up with other areas that we've got concern
about, we tack those on, and we kept tacking on more and more areas.

Our inspection program became just a collection of different
inspection activities, and we choose from this potpourri or kind of a
delicatessen menu of different types of inspection activities to do in a

1 plant, with very little rhyme or reason in some cases. And we received
a lot of criticism for it.

2 It was based only on inspection, which got to be, in some
3 cases, very judgmental, very subjective. There were no clear criteria;
there were not objective standards of measures on the inspection. A lot
4 of it was based upon inspector feel, inspector judgment.

5 It was very compliance-oriented. You didn't have an issue
unless it was a violation of a regulation, regardless of the safety
6 aspect, and if it wasn't a violation of a regulation, we didn't raise
the issue.

7 And enforcement, as I said earlier, was the major input.
That's how we decided whether the performance of the licensee was good
8 or not. Do they have a lot of severity level 3 violations? Do they
have a lot of violations? That's how we determined their performance.

9 And we received, as I mentioned, a lot of criticism for
that, from both public, the Congress, and licensees, that you're not --
10 we weren't objective; that we were subjective; that we didn't have
enough criteria. Nobody understood what we did. We were kind of the
11 black box of regulation.

12 We had a lot of input and a lot of different information,
and we go back into a dark room and make up our minds about what was
important or not, and then we come out and issue a violation. And that
13 didn't make the public very happy, and it didn't make some of our other
supporters happy, including the Congress.

14 So given some initial criticism by that group and by others,
we decided to develop a revised program. What we tried to do is base it
15 upon a regulatory framework. Instead of taking this collection of
activities or trying to decide everything we think we ought to know, we
16 tried to decide what was important, what's our job, and build it from
there. What did we have to know to meet that job? So it was kind of a
17 top-down approach to take.

18 We utilized -- we said, We're going to try to utilize some
performance indicators. It's just kind of like going to the doctor.
19 You don't go get a CT scan every time you have a headache. You might --
when your temperature goes up, you take that performance indicator of
20 the temperature. You know, you might take an aspirin. If it doesn't go
down, then you might go to the doctor.

21 If you've got some other symptoms, some other performance
indicators, like scratchy throat or, you know, the flu symptoms, the
22 achy bones, now you might go to the doctor. And the doctor's going to
do some additional performance indicators. You know, they're going to
23 do some additional tests before they actually throw you into the CT scan
or do invasive surgery on you because you've got a headache.

24 That's the concept behind performance indicators: Try to
take some quick measures, maybe some deep measures in some areas, but
25 some indications of what performance might be in some of these areas,
and then if they indicate problems, we'll look further.

Baseline inspection program, where we felt that the
indicators weren't strong enough, weren't providing enough information,
we needed to do inspection, or where performance indicators just didn't
provide any information, we needed to continue to do inspection, so the
baseline inspection program, then, kind of supplements those performance
indicators; it complements them.

1 We wanted a process that was consistent and repeatable, so
2 we established thresholds and standards for each of the performance
3 indicators, and we had to come up with a concept -- and I'll talk a
4 little bit about that -- of how do we judge the significance of the
5 inspection findings, to kind of correlate those with performance
6 indicators.

7 And then we said, you know, based upon all of these inputs,
8 we need to structure that, and we do that with what we call an action
9 matrix, of the actions that the Agency's going to take, based upon the
10 inputs from the performance indicators and the inspection activities.
11 And, again, enforcement becomes an output, an outcome, as well as
12 assessment of licensee performance.

13 Okay. Any questions so far?

14 (No response.)

15 MR. MADISON: All right. Here's our regulatory framework.
16 It's called the cornerstones of safety, but it takes, basically, from a
17 top-down perspective, our job. That's our number one job: protection
18 of the public health and safety.

19 Down from that, we have what we call three strategic
20 performance areas: reactor safety, radiation safety, and safeguards.
21 We said, those are the three strategic performance areas that we need to
22 have knowledge of and assurance of, to meet the goal of protection of
23 the public health and safety.

24 MR. SETTLES: What do you mean by safeguards?

25 MR. MADISON: Thank you. Safeguards would be more
maintenance of the security out at the site. In fact, at most nuclear
facilities, it has to deal strictly with security, but it also means
accounting for the nuclear materials that are available at the site.

Does that answer the question?

MR. SETTLES: It works for me.

MR. MADISON: Underneath that, then, we said, All right;
where are the areas, what are the areas we need to know; what individual
areas do we need to have knowledge of, to assure ourselves that we meet
our goals in this area. And we've had previously established goals in
each of these three strategic performance areas.

I don't want to go into too much detail on those, but by
having knowledge of these areas, we know we can meet the goals here.
Therefore, we've achieved our overall goal of protection of the public
health and safety, again.

Then we kept dropping down further, and this is where we
come up with individual performance indicators in each of these areas,
and inspection activities, to assure ourselves that we have enough
knowledge to make sure we meet the goals and objectives of each of these
what we call cornerstones. These are the cornerstones.

Underlying all of these are what we call cross-cutting
issues, because they touched on each of these, and we identified three
of them as the primary ones: human performance; what we call, safety-
conscious work environment -- and this is kind of -- this is a very
nebulous term.

It's kind of measuring the safety conscience out at the
site. We do that in a manner, kind of an indirect manner, by the
allegations that we receive, and it's a separate activity. If we
receive allegations, not necessarily saying at the Quad Cities site, but

1 if we receive allegations from workers out at a site, people around the
2 site, about activities that go on at facility, then we investigate
3 those, and that helps us determine in some way the safety-conscious work
4 environment at the facility.

5 We also look at the problem identification resolution
6 system. And by this -- we call it also the corrective action program:
7 how the licensee identifies their problems and corrects them in a timely
8 manner, and, again, the other activities we use to develop that.

9 Any questions on -- this is kind of the framework of how we
10 developed the program.

11 What's the impact on the public going to be? And what will
12 the public see? Well, we're going out quite a bit, as kind of this
13 meeting shows: public meetings to provide direct information to the
14 public, and an opportunity for the public to provide its feedback and
15 actual input on program.

16 We've been holding about a meeting every week in a public
17 manner, on this -- not necessarily at each individual site, but we're
18 holding public meetings at each pilot facility. I'll explain that in a
19 second.

20 But we're holding public meetings in general, to invite
21 members of the public, representatives from the state; we've had the
22 Union of Concerned Scientists, public citizen, other active groups
23 participate in the development of this program, so we're actively trying
24 to get that public input.

25 We're trying to provide more information to the public,
performance indicator data. In the previous program, about once every
18 to 24 months, the NRC would come out with a report card. It was
called the systematic assessment of licensee performance, SALP. And
that was -- nobody understood SALP. SALP was a program that developed
and changed over time, and we kept -- but it only came out every 18 to
24 months, and it was kind of hard to understand, and it was old
information.

The new program provides, on a quarterly basis, every three
months, more information. And it's more timely, because it's coming out
sooner and closer to the actual performance of the information, and
that's available to the public on the NRC web site, as well as all the
reports associated with that information.

And there's the web site you can go to. You can write that
down, and you folks probably already have it. But we've gotten some
pretty good comments and feedback on the site.

What you see when you go to the site, if you're looking for
information on the sites, is kind of a pictorial view of what the
performance at the facility is, based upon the performance indicators
and the inspection activity.

This view here shows the cornerstones; under each
cornerstone, the performance indicators. I know it's hard to read. And
underneath that would be the inspection activity at the site, in the
same color format. Now, I'll talk about what the colors mean in a
minute.

But it's kind of a pictorial view of what the performance of
the site, the information that we have about the performance at the
site. You can click on this. That will get you to the actual graph
that shows the performance indicator. You can go from the graph to the

1 raw data, if you want to get involved and do the calculations yourself.

2 You can go from the inspection activity; you can go direct
3 to what we call the plant issues matrix that describes the finding, the
4 inspection issue. You can go from that directly to the report, if you
5 want to read the entire report. There'll be a lot of other information
6 available on that site as well.

7 As I said earlier, inspections are going to continue.
8 Baseline inspections provide our direct method of measuring licensee
9 activity, other than the performance indicators. Should we find
10 information, either through the performance indicators or through
11 inspection, that we need to get engaged, the way we get engaged as an
12 agency is we generally do more inspection. That's what we call our
13 supplemental inspection. That's above the baseline.

14 We can still do the special inspections activities, the
15 teams at a site, depending upon the level of the safety significance of
16 the issue identified, or based upon a generic concern that we found
17 nationwide.

18 We can continue to test and look for generic concerns that
19 we need to identify across the industry. We can continue to inspect and
20 will continue to inspect those activities. And, again, as I mentioned,
21 inspection reports are readily available.

22 This next slides goes kind of to describe the basic concept
23 of the -- of making our decisions. We have performance indicators; we
24 have inspection activities. Put them into an action matrix, and they
25 tell us and tell the licensee what we're going to do. They tell the
26 public what we're going to do.

27 You can take a look at the performance indicators output,
28 inspection output; you can decide what we should be doing basically,
29 which makes it kind of predictable. It makes it very transparent.
30 We're doing what we said we're going to do, is what we hope is the
31 outcome.

32 And there's still going to be enforcement, but it's not
33 going into this. It's not making the determination. The focus is on
34 safety, whatever these show us in the safety arena.

35 The measurement: What do we mean by the colors? This is
36 kind of a rough diagram of what the colors -- how we rate the colors.
37 Down -- somewhere down here is what we define as unsafe. We have a
38 safety goal, and the detail is that we don't want to have an event at
39 the plant that represents a 10 to the minus 3 change in core damage
40 frequency. That's a technical term that we use to measure the risk at
41 the plant, the safety at the plant.

42 We backed that off and said, Before it ever gets there,
43 that's the threshold that's unacceptable. We're not going to let it get
44 to unsafe. Before it gets to there, we'll call it unacceptable.

45 And we backed it off a couple other levels, and what we said
46 is, Up in here, basically, the risk, the safety associated with this is
47 so low that the licensees should be responsible for taking the
48 corrective action. We really, as an agency don't need to get involved
49 in those decisions of the corrective action that they need to take.

50 That's the licensee's area of response. That's where they need to spend
51 their money; we don't need to spend ours.

52 In here is where we're starting to get concerned potentially
53 that what they're doing in here isn't good enough. Maybe their

1 corrective action program isn't as strong as we thought it was. We need
2 to look a little further at their corrective action program, to see how
3 strong it is. If it's okay, there's still a lot of safety margin here.

4 There's still a lot of margin to safety in this area. It's
5 really -- as long as we're comfortable with their corrective action
6 program, we still can probably let the licensee take control here.

7 This is where we need to take action. Here we've started to
8 erode the safety margin. We as an agency need to get involved. Their
9 corrective action program probably has some faults. We need to make
10 sure that their corrective action program is identifying the right
11 problems, that it's identifying the right corrective actions for those
12 problems.

13 And this next slide -- and I'll just kind of go by it pretty
14 fast -- just kind of describes those a little bit further. Green means
15 the cornerstone objectives are fully met.

16 White really means the cornerstone objectives are still met,
17 but there's some reduction; there's a minimal reduction in that safety
18 margin. We're really concerned of how good is the licensee's corrective
19 action program. If it's still healthy, our concern is minimal.

20 Here we don't think the corrective action program is
21 healthy, and here we think there's significant degradation. It's
22 potentially outside the design basis, and we need to get involved, and
23 they need to tell us before they go any further what they're going to
24 do.

25 Now, that's the general concept. Each of the performance
indicators has a threshold, has all four thresholds -- not true. Each
of the performance indicators has the threshold activity. They may not
have all the thresholds, because we may actually be taking stop-work
action sooner on some indicators.

And by stop-work action, I mean, there are some
restrictions, for example, in the containment performance indicators,
that say if they reach that -- I know there's one yellow threshold which
requires a plant shutdown, and I think there's one white threshold that
actually may lead to -- in the barriers; it's close. It's mostly in the
yellow, so they may not have a red, because we've already required them
to shut down at the yellow.

Now, to test the program, we held what we call the pilot
program. The six-month program began in May. We chose -- it says up
here nine sites. Really the ninth site was Hope Creek in Region I,
which is right across the street from Salem, and the two sites are owned
by the same company, and they treat them as one site, so we treated it
as one site.

We chose -- tried to choose two operators in each region,
different types of reactors, multi-unit, single-unit sites, to try to
test out the program as much as we could during a six-month trial.

The objective was to exercise as much of the process as we
possibly could, all the inspection activities at least once, and we did
some -- we had some pre-established what we call success criteria, some
measures, some of which, to be honest, we got inconclusive data during
the pilot program. It was not enough to give us, for example, a measure
of what our resource activity is going to be to accomplish the program.

From first blush right now, it doesn't look like really any
reduction in man hours with this program, and that may be because of the

1 learning curve involved in trying to implement a new program, but -- so
2 we're holding off until -- for several months during initial
3 implementation nationwide, to get more data and see where we need to go
4 here.

5 But one of the unique concepts of this pilot program is we
6 invited a group of folks called the Pilot Program Evaluation Panel,
7 which included members of industry, folks from the NRC, David Lochbaum
8 from the Union of Concerned Scientists, Gary Wright [phonetic] from the
9 Illinois Department of Nuclear Safety, and others sat on this panel, and
10 they provided kind of the --

11 MR. SPECTOR: George, too.

12 MR. MADISON: Yes. George was one of the representatives of
13 industry on the panel.

14 They provided kind of that group that looked at, from
15 somewhat of an outside perspective, with insider knowledge, of what the
16 success of the pilot program was, and their report should be out real
17 soon. We're going to -- it's going to be part of our -- has it been
18 issued?

19 MR. BARNES: It's on the web.

20 MR. MADISON: It's on the web. We've also been going out
21 and collecting public comment and feedback, and we've done a lot of
22 other activities which we'll talk about right now.

23 Have I gone too fast for some folks? Kathy?

24 MS. STODOLA: Oh, I'm sharp. I got it all.

25 MR. SPECTOR: I don't mean to pick on you, but you and Dave
are the only members of the public here, other than Cecil.

We're holding a variety of public meetings. We had the
initial public meeting that we talked about. We had -- we're having
these roundtable public meetings. We're holding -- going to hold public
workshops. In fact, the one in Region III is scheduled for --

MR. SETTLES: February 23.

MR. MADISON: 23rd, February 23. And I forget the name of
the hotel. It's on the web site; you can find it on the web site.
That'll be a three-day workshop, where we'll describe the entire
program, fairly in-depth. We'll actually use some breakout sessions to
get into the details like of the security area, radiation protection
area, and emergency preparedness area, and run some example through the
process.

We've been holding, as I mentioned, bi-weekly public working
meetings, and there'll be a Commission meeting, which has now been
changed to March 1. From the 29th of February, it's been moved to March
1, where we will brief the Commission on changes we're making, based
upon lessons learned. And the PPEP meetings were also public.

We just finished what we call the lessons-learned meeting,
which was a large -- we had about 350 people show up to that in D.C. at
the Renaissance Hotel, where we tried to collect feedback from industry,
from NRC, and from public stakeholders on lessons learned during the
pilot programming and recommendations for changes to the program.

The Federal Register notice requested input. That was one
of the longest Federal Register notices probably in our program, and we
even extended it a month, just to make sure we got everybody's input.

And then, of course, the external web page, and we've
collected feedback, and I have responded to several e-mails directly

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1 from members of the public on that web page.

2 Some of the future things that we plan to do -- and,
3 actually, some of these aren't future anymore. We did an internal
4 survey of our own folks, and we held an internal lessons-learned
5 meeting, to collect just NRC input from the folks that were actually
6 attempting to implement the program.

7 And a lot of -- continuous meetings; my life is meetings
8 lately, and then initial implementation for nationwide is scheduled for
9 April 1, if I didn't mention that already, where we will implement it at
10 all facilities. And we're still going over the actual oversight and the
11 safeguards we need to put in place initially, to bring the whole nation,
12 all the facilities on the new program.

13 That's really a high-level view of the process and the
14 program. Are there any questions?

15 [No response.]

16 MR. MADISON: Okay. You guys make it easy on me, but I'll
17 sit down and shut up.

18 MR. SPECTOR: That was very good, Alan. We'll get you some
19 questions. That's great.

20 What we'd like to do now is run the roundtable discussion,
21 and in doing that let me just give you a little introduction here. As I
22 said earlier, the roundtable is to gain your insight and feedback, so
23 we're talking not only to the members of the invited public, Dave and
24 Kathy and Cecil, but everybody. Okay? So feel free. Take off your hat
25 and feel free to talk.

26 We're going to focus on the revised reactor oversight
27 program. I know there are other issues that are related to the plant,
28 but we're going to focus on this particular topic. I'm going to try to
29 moderate the discussion, and we're going to try to do this on a first-
30 name basis. All right?

31 And it'll be very informal. You can take off your jacket;
32 it's a little warm in the room. So feel free and relax a little bit. We
33 have coffee in the back, and we're not going to be here all night
34 because of the snow. But this is basically an opportunity for the NRC
35 to listen to what people have to say out in the public.

36 MR. LICKUS: You might want to mention that we have a court
37 reporter and why.

38 MR. SPECTOR: We have a court reporter, and the reason we
39 have the court reporter is because what we want to do is get what you
40 have to say, so we can take it back and study it. We're going to make
41 the report available if anybody would like to have a copy of that. Just
42 tell me after the meeting, and I'll take your address, and we'll mail it
43 to you in about two weeks, give or take. It takes that long to get it.

44 And I'll mail it to you directly, you know, to your home or to your
45 office.

46 What we found in past meetings, we kind of do memory, take
47 notes, try to remember what people say, and then when we get back, after
48 a week, we say, What was that? It's difficult to remember. So we're
49 having a court reporter gather that information.

50 It's not going to be published on the web at all. We're not
51 putting the report on the web. It's just going to be available to
52 anybody who would like to have it.

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53 So we are going to be informal, and that's really the key

1 thing here. Okay.

2 I had given you this little booklet, which is -- we call
3 NUREG-1649. I don't know how many of you have seen this. We have
4 plenty of copies. Did you all get a copy of this?

5 We sent them out. It's what we're calling a plain-language
6 booklet. In fact, it was -- the major author was Jan Strasmer
7 [phonetic], happens to be from this region, Region III, and we're going
8 to be updating that booklet in the next few months, so we have a new
9 version that's going to come out in April when we have the initial
10 implementation.

11 But that will give you kind of an overview of everything
12 that Al said.

13 Okay. So what I'd like to do is have a series of questions.
14 Now, we gave out nine questions to everybody.

15 We found that a lot of the questions were kind of redundant,
16 so we're going to reduce the number of questions. All right? But we're
17 going to get to the answers of all of them.

18 The first question we have up there is kind of a general
19 overall question, and you've heard what Al said, and hopefully you've
20 gone out to the web site and are somewhat familiar with the new program.
21 I know, that for many of you who are involved with the emergency
22 response work are kind of familiar with what NRC does.

23 So the basic question is -- and I'm going to read the
24 question, so that we have it on the machine. "Do you believe that the
25 new oversight process will provide adequate assurance that plants are
being operated safely?"

Anybody have any comment on that, gut reaction from what
you've seen so far? Dave, I don't want to pick on you, but you're
shaking your head, so -- I'm not sure which way it is, so --

MR. DeBARRE: The only comment I have to make is most
aspects of this is too technical for me. I have to depend on Roland
here to keep me informed of different things that are going on, and he's
done a very good job of that. So as far as procedure is concerned, I
really can't make a comment on it at this time.

MR. SPECTOR: Kathy, I'm going to pick on you again. Sorry.

MS. STODOLA: Well, obviously being off-site preparedness,
the biggest question I would have overall would be the interface between
what NRC is doing and what FEMA does, you know, as far as, you know, is
this going to make anything change with our regular exercises and drills
and that type of thing. Is there going to be more interaction by the
NRC with our FEMA-evaluated exercises? You know, is that process going
to change?

MR. SPECTOR: Let's address that. Al, do you have a
response?

MR. MADISON: Yes. Can you hear me, if I talk here?

No. That activity probably won't change or the amount of
activity. The focus of the activity will, because as I said, in times
past, the emergency-preparedness folks were looking for the detail of
the drill. They were watching the licensee perform the drill and making
for mistakes every time they performed the drill.

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Their focus now is more on how the licensee reviews the
drill and finds problems and corrects them, so that they're still
working. They've changed their focus. If they find problems with the

1 licensee's capability of what they call critiquing the drills, then
2 they'll dig deeper into how the licensee performs.

3 MS. STODOLA: Because I always thought it's helpful when we
4 conduct exercises and drills, that the more people that participate in
5 those exercises and drills helps the realism.

6 You know, you had talked a little bit before about realism,
7 and as far as the state and the locals are concerned, I think the
8 realism issue is a lot larger than, I think, maybe you perceive that.
9 We drill and exercise so FEMA evaluators can check boxes off, and I
10 don't think that's right.

11 I think that we should drill and exercise for a realistic
12 type of event that a nuclear power plant cannot spew radiation 40 miles
13 away or whatever. You know, it should come back more to the realism,
14 and so I think it behooves us to really try to get participation by
15 federal agencies in the local exercises that we conduct.

16 MR. MADISON: That's not what that term was meant to be, but
17 that's a good thing that it should mean.

18 MS. STODOLA: All right.

19 MR. SPECTOR: Let's address that, because nobody has
20 expressed that so far.

21 MR. MADISON: That's a --

22 MS. STODOLA: Well, the cheese stands alone, you know.

23 MR. SPECTOR: So it's very useful. Each of these meetings
24 -- we've held now -- this is the fifth meeting, and at each of the
25 meetings, we learned some new things.

MS. STODOLA: Well, if you ever go to a REP conference, you
hear that, don't you, Al?

MR. SPECTOR: Okay. I haven't been there, so --

MS. STODOLA: Well, that was the next question that I -- or
on my list of questions. Is there going to be a presentation at the REP
conference in April?

MR. SPECTOR: The regulatory impact?

MS. STODOLA: Uh-huh.

MR. SPECTOR: We had one last year. I don't know about this
year.

MR. LICKUS: She's talking about there's a national
Radiological Emergency Preparedness meeting.

MR. SPECTOR: Oh, I'm sorry. I'm talking about our
roundtable meetings.

MR. LICKUS: It's held by -- essentially the states
organize, and I know that they've published notice of that meeting, but
I didn't see it on their agenda. I don't know.

MS. STODOLA: Well, the agenda's real generic basically now.
I just didn't know if you had been approached.

MR. LICKUS: I don't believe we've been approached to put
this on the agenda.

MR. MADISON: No, we haven't, but we would be more than
happy to provide some feedback.

MS. STODOLA: It's in Reno, so that would --

MR. MADISON: You're not selling me, because I'm probably
not the guy to go.

MR. LICKUS: I guess I wanted to make one thing clear to
you. The program that we're describing to you here now relates from
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1 an -- emergency-preparedness is part of this program, but it's part of
NRC's inspection program is what we're talking about here.

2 MS. STODOLA: More so than the --

3 MR. LICKUS: NRC's inspection program means what -- in terms
4 of emergency preparedness, we evaluate our licensees, relative to how
their plans are for responding to emergencies and how well they do in
exercise.

5 FEMA has the responsibility in terms of off-site evaluation
6 of state and local government, so this program deals with only NRC's
interface with the licensee, in terms of the emergency preparedness
concept.

7 I have heard FEMA, however, say that they're interested in
8 our new approach, and so that's not to say that somewhere down the road,
FEMA couldn't adopt similar kinds of policies in terms of how they would
look at their part of evaluating off-site preparedness.

9 MR. MADISON: The cornerstones concept is catching on, not
10 just in the NRC but in other agencies as well. And I wouldn't -- I
don't mean to contradict Roland, but there's more than just inspection
and emergency preparedness.

11 There are also performance indicators in emergency
12 preparedness, which was actually, we think, one of the first successes
of the program. It encouraged a positive outcome in that it truly --
13 there's two measures that work together that say that you measure the
performance activity of the people performing the drills, but you also
14 measure the number of people drilling.

15 So you can't just run the A-team every time and get a good
performance indicator. You really have to run more of your people
16 through the process, drill them more often. And the licensees asked
us -- you know, one of the first responses: Well, you know, if we drill
17 more people more often, we'll get better performance indicators. We
said, Yes. That's a positive outcome for both the licensee and the NRC,
18 as far as we're concerned.

19 MR. SPECTOR: Another way of saying -- a similar question,
but another way of putting it is: "Do you believe that the new oversight
20 program will provide sufficient regulatory attention to utilities with
performance problems?" Any comments on that? I know we have some
utility people here.

21 Cecil, you're smiling. Do you have a comment on that or --

22 MR. SETTLES: Well, it will, of course, if the trigger
points -- your performance indicators get you there, so those are very
23 crucial in this element.

24 I had a question no your first one actually.

25 MR. SPECTOR: Oh, sure.

MR. SETTLES: Part of evaluation of this new oversight
process was the Pilot Plan Evaluation Panel that George Barnes sat on
and I sat on. And its report is out and its overall conclusion was
implement on April 1. But there were a number areas in there that
were -- there wasn't enough data yet, and that was inconclusive of
whether the goals of -- were being met.

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Is there any plans to -- that performance evaluation panel
has been dissolved now. Is there any plans to do another one at a later
date, of some nature, to see, once data is available, if you're meeting
what this new program intends to?

1 MR. MADISON: Frank Gillespie told me to say, God, no.
2 Frank Gillespie was the chairman of that panel, and I don't think he
3 wants to repeat that activity.

4 But we have promised the Commission that in July of 2001, we
5 will report back with answers to a lot of these unanswered questions.
6 We have to develop a program that we've got the outline of -- we don't
7 have a lot of detail to it -- that actually measures the program, as
8 well as what we're going to call industry performance, not individual
9 licensee, overall industry.

10 One of the -- I said our major goal was to maintain safety.
11 When we first went into this program, we said that -- we had the
12 conclusion that overall, industry's performance was pretty good, and we
13 had some old performance indicators, some performance indicators we have
14 a lot of experience on, that told us that.

15 If we're going to have to go back and look at those
16 performance indicators about a year from now, and did industry's
17 performance slide? Has industry's performance been maintained, and
18 report back to the Commission the impact this program had on industry,
19 overall industry performance, and make some assessment, as I said, like
20 the resource impact and those type of things, that we didn't get enough
21 data on during the pilot program.

22 We think we can do that without getting another -- the
23 Federal Advisory Committee Authorization Act, FACAA, without involving
24 that act. We think we can do that next time.

25 MR. WALTON: I'm looking at the phrase "performance
problems," and I'm looking for a definition as to what a performance
problem is, because I think we all have our own definitions as to what a
performance problem is. We all have our own thresholds to it. I just
wanted to throw that out. I didn't want to go into any more detail than
that, but --

MR. SPECTOR: I have no comment on that.

MR. MADISON: Anybody else?

MR. SPECTOR: It's kind of an open-ended question.

MR. WALTON: Yes. What's a performance problem? I'm --
well, we're both of the old school, and any time that there was a burp
or a hiccup, we would be concerned, and we'd look into it. Now, I know
the new program is to back off a little bit and let the utilities solve
it on their own, through their own corrective action program, and, of
course, relying on performance indicators as well.

We had also talked amongst ourselves about the threshold of
some of these performance indicators, and maybe they should be graded a
little more strictly in some areas perhaps, grade them on a curve, as it
were. I know that this had been talked about, but I think it's been
decided that was not going to occur.

MR. SPECTOR: How about some other thoughts on that?
Anybody else? No other comments on that?

MR. MADISON: The performance indicators -- grading on a
curve -- you know, the way the performance indicators were established
is based upon a safety number that has a fairly good basis, pretty
strong basis, and some history that the NRC has implemented over the
years, including what was called the "back-fit rule."

Measures associated with that would say that before we could
implement any new requirement on a licensee, anything that wasn't

1 already in the regulations, anything that wasn't already in their
2 licensing basis, it would be similar to crossing a yellow threshold
3 before we could do that, so activities down in the green band, if we
4 find something that the licensee's doing that's not necessarily involved
5 in the regulations or something new of safety significance down in that
6 area, we couldn't even write a new regulation to cause them to do
7 anything.

8 Even in the yellow band, we couldn't write a new regulation
9 to cause them to do anything. So the safety significance has already
10 been established with that rule, as well as with some of our other
11 measures that we've put out and what Reg. Guide 1.1174 that describes
12 the assessment of risk significance and where that is, also establishes
13 similar levels of concern at 10 to the minus 6 and greater.

14 I think we have a pretty strong basis for where we've
15 established those thresholds on the performance indicators. We do need
16 to have some more run time on some of them.

17 The concern on -- the green and white threshold on some
18 performance indicators was not necessarily based upon a safety number or
19 risk number. It was more based upon identifying outliers from nominal
20 performance, but that was also based upon a safety level of performance
21 industry-wide. And those are old numbers. That's '95-'97, and we need
22 to look back and see if that's appropriate for today.

23 What we don't want to implement is what we've been accused
24 of implementing in the past, rising standards, so the licensee can never
25 achieve, say, safe performance in our perception or the industry -- or
the public's perception. We need and must avoid doing that. That's not
meeting the goals of the Agency or of the public we represent.

MR. WALTON: A follow-on of that question: Out of
curiosity, these performance indicators that we're using are NEI, INPO
already pre-established performance indicators -- right? -- that have
been used previously in the industry. At least some of them are.

MR. MADISON: And that was somewhat one of the reasons why
we chose some of them, because we did have a long run time on some of
these indicators.

MR. WALTON: Did those indicators have any type of a
threshold in the industry? Did NEI or the other agencies set -- maybe
not a color threshold, but a threshold of a concern?

MR. MADISON: No.

MR. WALTON: No, they did not. So --

MR. MADISON: Well, it was established on some of the
performance indicators. On the availability indicators, the Institute
for Nuclear Power Operation, INPO -- another acronym -- established some
excellence goals. What did they call them?

MR. BARNES: Goals.

MR. MADISON: Goals, excellence goals primarily for industry
that are actually at our green/white threshold on those indicators, so
that by achieving those, as far as that other body, that's an industry
body is concerned, that's achieving excellence, to be in a green band on
those goals.

MR. LICKUS: That leads to another question about what will
it take to change performance indicators, or how -- you haven't talked
about this, but I think it would be interesting maybe just to discuss
how cast in concrete are performance indicators, once you set a number

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1 level, and how frequently will you review these in terms of are these
2 telling us what they need to tell us. Are these true indications of
3 what we intended them to indicate?

4 MR. MADISON: Well, there's a couple of aspects of that.
5 Testing whether or not they're true indicators of performance, that's
6 part of the purpose of the inspection program, is to verify, number one,
7 that there's accurate information being given, and we do -- part of the
8 baseline inspection program looks at the data the licensee submits on
9 the performance indicators, because the licensee submits the information
10 to us on the performance indicators.

11 We go out and verify that that information is adequate
12 periodically or accurate. Whether it's adequate in measuring safety
13 performance -- there's some supplemental aspects of the baseline program
14 that look at similar items that the performance indicators do, so they
15 can get kind of a cross-check of performance in those areas.

16 There's also, as I said, a lot of run-time on some of these
17 performance indicators, and we have what we would call face value on
18 some of these, where we've been able to correlate these performance
19 indicators to our actual perception of what licensee performance has
20 been in the past and come up with a pretty close tie.

21 But we still have -- we still are developing a program to do
22 a QA or quality check or further check on the performance and adequacy
23 of the overall program, and we will report on an annual basis to the
24 Commission and to the public on that, beginning in June, July of 2001.

25 MR. SPECTOR: Let's change the pace a little bit here.

MR. MADISON: Long answer, but I tried to cover more than
one point.

MR. SPECTOR: The questions that we're asking, by the way,
are primarily the same questions that we asked in the Federal Register
notice. We realized that a lot of people didn't have a chance to reply
to the Federal Register Notice, because most people don't write in, so
this is a good way of getting some more feedback from people related to
the Federal Register notice.

An area which we're interested in is keeping the public
informed, and just to read the question: "Is the information provided by
the NRC appropriate to keep the public informed of agency activities
related to the plants?"

One of the things that Al talked about was the web page. We
have the 1649 NUREG. We have articles that are in the local, the
national press; periodically there are articles in there. We have
public meetings. We've kept the public -- I know Roland has talked to
state program people, -- to keep them informed.

So we're curious as to, is this the kind of information that
people want. Is it easily understood? I don't know if you've had a
chance to look at the web site or any of these. Cecil?

MR. SETTLES: The web site is a tremendous amount of
concentrated information. We're still sorting it out, trying to figure
out what to do with all of it.

MR. SPECTOR: It's too much information, you mean, or --

MR. SETTLES: I wouldn't say it's too much. The links -- we
discussed this before in those meetings. You know, it's like -- there's
like an oversight that's -- I won't say missing out of it, but needs to
be developed, to get you down to different levels a little easier

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1 perhaps.

2 MR. MADISON: Is it just this web site, or is it the NRC web
in general?

3 MR. SETTLES: No. It's in general.

4 MR. SPECTOR: General --

5 MR. SETTLES: It's a tremendous amount of information. It's
overwhelming. But that leads to my other question, I think. You may
have answered part of it. It's very nice, and I like the web site, and
it's very good for the public that has access to computers.

6 MR. SPECTOR: On the --

7 MR. SETTLES: And there's a tremendous amount of information
for the computer literate and people that have those things. What are
you doing for the rest of our citizens that don't --

8 MR. SPECTOR: That's a good question.

9 MR. SETTLES: -- are not in the computer age?

10 MR. SPECTOR: Right. That question comes up at every
meeting.

11 MR. SETTLES: Which are an elderly section of the public,
perhaps.

12 MR. SPECTOR: Quite a few people don't have computers or the
patience, even, to go through --

13 MR. SETTLES: Right. And they may be a crowd, let's say,
over 50 even, that's paying a whole lot of the money for these programs.

14 MR. SPECTOR: Well, interesting you say that, because I've
talked to a lot of people in their sixties, and --

15 VOICE: I'm over 50, and I have a computer.

16 MR. SETTLES: Well, so do I.

17 MR. SPECTOR: I've talked to people, not necessarily who are
here tonight, but around the country, who are older. They have
computers, and I was surprised, and know more about how to work the
computers than I do. It's interesting.

18 But, seriously, you know, we have the traditional ways, I
guess, the public document room that people can get information. They
have to buy certain of that information. We have the information in
local libraries. Some people can go to some of the plants and get
information there, through the public affairs office, both out at the
plants as well as NRC.

21 It's a problem. It's a real problem.

22 MR. LICKUS: We still also distribute information that's
based upon a docket, so if someone, for example, Rock Island County
said, I want to receive all the inspection reports for the Quad Cities
plant, my understanding is they're still going to receive those, even
under the new program, so --

23 MR. MADISON: Yes. I don't think we're cutting back on the
amount of hard copy information that's going to go out, although there
is a concern -- and I think it's -- you know, that the public document
room program is being cut back, and it's a good question; it's a good
concern. I don't think we have a good answer yet.

24 MR. SPECTOR: We don't.

25 MR. SETTLES: No. I realize you're in a transitional phase.

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computerized system. ADAMS is a new computerized document system within
the agency. Agency Document and Management System.

1 We just implemented that, so there's still bugs in that,
2 which are coming out also. So, you know, you're raising a good
3 question, and we're struggling with it. We really are struggling with
4 it.

5 MR. SETTLES: Well, I think there's more information
6 available now easily, more easily than there ever has been.

7 MR. SPECTOR: There's more now, and, in fact, we had one
8 comment that was made in a previous session, a public session. We found
9 that there was so much information that people said, It's overwhelming,
10 and how do you make it simpler.

11 Mark?

12 MR. RING: I'm with the NRC, and I think there's too much
13 information and that it's overwhelming, but I guess what I was curious
14 about this is from Dave or Kathy. Do you have any thoughts about the
15 way we're going about providing information to you folks or to other
16 members of the public? Does this work for you? Is this too much, too
17 soon? Is this not enough? Do you not pay any attention, to who cares?
18 I don't know. What's your perspective.

19 MR. LICKUS: One of the criticisms of our agency is that
20 we've been not comprehensive by, you know, members of the general
21 public. They don't know who we are; they don't know what we do. They
22 don't know about how the plants are performing or what our evaluations
23 of the plants are.

24 Is this something, do you think, that's going to make that
25 situation better, because obviously one of our goals is to increase and
26 enhance public confidence in, you know, what we do. I don't know.

27 MR. SPECTOR: Let me just show you some of the information
28 that we have, and then maybe we'll go back to the question, because
29 those two questions are really appropriate.

30 Let me just show you, for those of you who don't know.
31 These are just examples of what's on the web page or mock-ups of what
32 might be on the web page. Here's another version of the cornerstones.
33 We have the performance indicators, and then on the performance
34 indicators, we have various reports, et cetera, information that's
35 available, to be able to click on -- you'll be able to click on these
36 various things, in order to get the data.

37 MR. LICKUS: Just hold on to that for one minute.

38 MR. SPECTOR: Okay.

39 MR. LICKUS: What he's showing you here is on the web, on a
40 plant-specific basis, so plant by plant. In other words, if you're
41 interested in the Quad Cities plant, you'll go to Quad Cities and click
42 on it, and this will be, you know, information about that plant.

43 MR. MADISON: And the address is the address that you put on
44 the --

45 MR. SPECTOR: Well, that would be the main address, and then
46 from that, there would be sub-menus that get directly to every single --
47 Kathy?

48 MS. STODOLA: Is there an 800 number that someone could call
49 and say, you know, I'd like to know about this or that, and they can
50 just get it over the phone?

51 MR. MADISON: What's OPA's number? Basically those would be
52 the folks that you would want to call.

53 MS. STODOLA: Regionally-wise?

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1 MR. MADISON: Headquarters, you could also call.

2 MR. SPECTOR: Headquarters or the regional --

3 MR. MADISON: There's an 800 number to OPA, I believe.

4 MS. STODOLA: So if someone called the plant, they could get
5 that. Right? Or if someone called us, they could get that.

6 MR. SPECTOR: No, no. I think what we're saying is if you
7 called the regional -- we're advising people to call the regional public
8 affairs or the headquarters public affairs office. If they don't have
9 the -- you know, if they don't know the Internet --

10 MR. BECK: What she's asking is: Is there a 1-800 number on
11 the screen that you can call for help perhaps?

12 MS. STODOLA: No. That's not what -- no. It was -- that
13 just kind of spurred that if someone had a question, that you could --

14 MR. SPECTOR: Yes. What we're saying is if you call the --
15 our central focus is if you call the public affairs offices, either
16 within the region or national --

17 MS. STODOLA: But someone would start at the plant. If I
18 had a question, that's where I would start. I'd say, Well, I have a
19 question on your performance, because I heard, you know, Joe who works
20 there next door, and --

21 MS. COLLINS: If you call us at the plant, we'll give you
22 the number for public affairs.

23 MR. SPECTOR: Right.

24 MS. STODOLA: All right. There we go.

25 MR. SPECTOR: What the Agency's trying to do is get it all
to go to one, you know, eventually.

MS. STODOLA: Sure.

MR. SPECTOR: So that we would refer you to the public
affairs -- we even do that also within our own group, and then you could
ask the specific question. Public affairs would either refer you
specifically to a web site, or maybe an individual to talk to.

MS. STODOLA: And there could be somebody they could talk to
specifically about the site.

MR. SPECTOR: Absolutely.

MR. SETTLES: And also on the web sites there, there are --
it's very easy to send off questions, if you've got questions about what
you're looking at. I've done that twice already, from my home computer,
and asked them about specific, where can I find something at, or what's
this about. And I've gotten answers within a day. I was really
impressed.

MR. RING: Let's back up a little. If Kathy wants to know
about Quad Cities site, you're either going to call the Commonwealth
Edison Quad Cities number or the NRC's Quad Cities number.

MR. MADISON: I guess that's kind of a heads-up to the
licensee in the room. You may want to have that available to the
operator when they answer.

MR. WALTON: We got a phone call at the residence off today
because they were unable to contact the utility, because the utility's
number is not published. The NRC's telephone number is published, so we
typically --

MS. COLLINS: Oh, yes. We get that a lot.

MR. WALTON: -- would get a call from the general public
before the utility will.

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1 MR. RING: Well, what I want to get to is -- that's fine,
Kathy. You can --

2 MS. STODOLA: Well, it was just -- you know, if they get
3 like their public information brochure, I don't know numbers are on
4 there for Quad Cities, but if they can exactly get to that
information --

5 MR. RING: Yes. If you call that --

6 MS. STODOLA: -- to talk to somebody.

7 MR. RING: -- which will start you off with our residents, I
8 believe, they can refer you to any of the other ones, if they can't
9 answer the question themselves.

10 MS. STODOLA: Or they could talk to somebody.

11 MR. RING: And I think the utility can do the same sort of
12 thing. I guess, Wally, you're the --

13 MR. BECK: I'm the designated utility rep at this point.

14 MR. RING: -- would be able to do the same sort of thing, so
15 for you, living in Iowa, calling directly to the site should work fine.

16 MR. TUBBS: However, they are correct. There is no
17 published number for ComEd Quad Cities Station.

18 MR. WALTON: That's correct. You will find --

19 MS. COLLINS: For the resident inspector.

20 MR. WALTON: For the NRC offices. We're required to have
21 our number in the phone books and published. The utility does not have
22 the same requirement.

23 MR. SPECTOR: We yield to the utilities. Talk to them.

24 MR. WALTON: No. They can talk to us. Talk to us. We can
25 get her there.

26 MR. SPECTOR: We have -- here's another question, again
27 related to information. Hi. How are you? Did you come from Chicago?

28 MR. ROSENBLUM: I came from -- yes -- New York actually.

29 MR. ROSENBLUM: Well have a cup of coffee and join us. We'll
30 get your name and all that later. Why don't you go relax.

31 MR. ROSENBLUM: I'm Dan Rosenblum, from the Environmental
32 Law & Policy Center. I swear; I tried real hard. I was furious at the
33 hotel.

34 MR. SPECTOR: It's terrible. Right now, what we're doing is
35 we had reviewed the program. We can review that with you later. And
36 we're going through some questions now.

37 MR. ROSENBLUM: Great. Okay. Thanks. Some of these are
38 the same questions that we had sent you. Good. Okay.

39 MR. SPECTOR: So the question here obviously is: Does the
40 available public information associated with the revised program
41 including NRC's web page, et cetera, provide an appropriately balanced
42 view of the program?

43 By the way, did -- let me just back up for a second. You
44 all had questions on the table. Dave and Kathy did. Was that answered?

45 MS. STODOLA: I'm fine.

46 MR. RING: I was just -- Kathy kind of gave me some
47 feedback, and if you have any, Dave.

48 My question is: Is what we're doing, working for you folk
49 in terms of getting you the information that you need, or is it useful
50 to you, that sort of thing? I know you probably talk to Roland if you
51 need something, I would guess. I don't know how you go about it, Kathy,
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1 but --

2 MS. STODOLA: I don't really do that much, to tell you the
3 truth. It's more on the off-site stuff than it is -- you know, I go to
4 the daily events report. You know, it's part of my morning routine. I
5 go and say, Who's in trouble, type of thing, you know.

6 MR. SPECTOR: Now, we made some comments on the web site,
7 both the NRC web site and then this program, revised reactor, and I
8 think some of the response related to the -- we'll call it the
9 navigation of the web site is a little difficult and the quantity of the
10 information.

11 This question's related to the question of a balanced view
12 of licensee performance. Are you getting any view on whether the
13 information that's being provided is balanced, quote, balanced view?
14 Keith?

15 MR. WALTON: I'll say something, because we had an exit
16 today with the utility, and one of the questions they had was about the
17 balanced view of licensee performance.

18 When it comes to our written product, which is the
19 inspection report, the inspection report does not have any positive
20 attributes in it, and that's a decision made by our agency. The
21 licensee -- I'm going to read into it. I think the licensee did want to
22 see some positive feedback. And maybe I'm reading into it.

23 So I would say that in this case, no, that we, at least in
24 the inspection report, did not provide a balanced view of licensee
25 performance, because, if you read the inspection report, you'll see that
26 it's either negative or in some instances, there's no information at
27 all. And maybe no news is good news, might be appropriate.

28 MR. SPECTOR: Okay. How about -- any other comments on that
29 or related to the balanced view of the program as being different?

30 MR. LICKUS: Let me just make a point.

31 MR. SPECTOR: Roland?

32 MR. LICKUS: One of the things that we didn't discuss much
33 or talk about -- we talked a lot about the inspection program and the
34 performance indicator program, but we didn't talk much about the
35 assessment function.

36 NRC is going to continue to assess licensee performance,
37 using performance indicators and our inspection program on a quarterly
38 basis. And that information will also be published on the web site, and
39 in addition, we planned to hold an annual meeting in the vicinity of the
40 site, to discuss performance with the licensee on an annual basis, and
41 that will be a public meeting; it will be open to members of the public
42 who want to come and sit in and attend that.

43 And so, you know, I don't think we explained some of the
44 assessment tools that we're using in the new process, in terms of the
45 previous discussion, but those are some of the things that are planned
46 for the process.

47 MR. MADISON: And I think you want to go on -- if you're
48 talking about a balanced perspective, you might want to back up the web
49 page screen there.

50 MR. SPECTOR: This one?

51 MR. MADISON: Yes. We said from the strategic performance
52 areas, the reactor safety, radiation safety, and the safeguards, the
53 security area, that those are the three overriding goal areas to assure
54

1 that the NRC is meeting its goals and objectives and maintaining the
2 public health and safety, with regard to the operation of commercial
nuclear reactors.

3 And if those cornerstones are the major areas of concern,
4 that provides an overall picture of licensee performance in critical
5 areas that show the overall performance of the licensee, a balance of
6 their performance.

7 If you look at a green indicator that says that's in the
8 licensee response zone, that can mean that there are no inspection
9 findings. But it still shows the indication that licensee's performance
10 is within an acceptable performance range.

11 MR. SETTLES: Is there any plans or anything to make a
12 single-line summary of a power plant? If my 84-year-old mother goes on
13 this web site and wants to know how Wolf Creek is performing -- she
14 lives within about 30 miles from Wold Creek -- is there anyplace she can
15 go and just say, Wolf Creek is doing real good, and we think you're
16 okay?

17 MR. MADISON: I think what's going to happen -- you can't
18 really, because each of these individual areas --

19 MR. SETTLES: But that's eventually what all the greens say,
20 though.

21 MR. MADISON: From a global perspective, I think we can --
22 we're going to make comments and we have made comments that the licensee
23 is performing within acceptable bounds, that they're meeting the
24 cornerstone objectives in each of the cornerstone areas. And if that's
25 true in all the cornerstone areas, then they're overall meeting the
objectives of performance. And that type of statement can be made.

But there is no intent to try to -- and we didn't do it with
the old program either. We still broke the old program into three
distinct areas, and sometimes -- at one point, the systematic assessment
of licensee performance was broken into nine distinct areas for grading.

The idea is that performance at the plant is too broad to
come up with a single number grade, that we need to focus in the areas
of actual concern and rate performance and significance of the issues
identified.

The other aspect of it: We do not have criteria, nor have
we -- do we feel that it's our job, the Agency's job, to establish
criteria for positive performance for excellence. Our job is to
maintain the public health and safety, to assure adequate performance.
If the performance is adequate, it's not our job to drive the licensee
to excellence.

That's the -- you know, the industry obviously has some
goals and objectives to achieve excellence, and we -- but our job is to
maintain adequate -- to assure the maintenance of adequate performance
for the site.

So we get into the arena of -- when you talk about trying to
provide a balanced picture by talking about positive performance, we
really don't have any measures that we have established, that we could
say are objective, to measure positive performance. We can measure
whether performance is adequate in some areas, in the key critical
areas, and that's really what we're trying to focus on with the program.

MR. SPECTOR: One of the things we were just alluding to was

1 a question of timeliness. The question here is: Do you believe that
2 the NRC is providing the public information in a timely and
understandable fashion about the plant?

3 Right now, for the pilot program, we were publishing our
4 performance indicators once a month, where we had been doing it every
5 three months, on a quarterly basis. Inspection reports will follow. Is
6 this timely, and is this information where we're giving timely? Do
7 people want information more often? Less often? Are we hitting the
8 mark? Yes.

9 MR. TUBBS: I would think that, at least from my
10 perspective, that there's definitely improvement. The SALP tended to be
11 too old, in my estimation, and as you said, Alan, just too, too generic,
12 too specific. I mean, it looked at one number and said, That's the
13 whole thing, and it just -- the issue is too technical, too broad, and
14 too difficult to categorize that simply.

15 But there was a tendency toward the end of the use of the
16 SALP to focus on the conclusion of the SALP, period, which helped a
17 little, but obviously because it's so complicated, there's some
18 difficulty with getting the information real current, and the pilot's
19 seen some problems with accuracy.

20 But I think it's a good approach, at least from my
21 viewpoint. I appreciate the more current information that's available
22 to the plants -- from the plants that I'm involved with and the
23 comparison of that information from one plant to the other, because the
24 companies are different. So this kind of puts it on a level playing
25 field.

MR. SPECTOR: And the information is basically the same,
because the kind of questions that we're raising is the same. There's a
certain amount of consistency.

MR. ROSENBLUM: To the extent the question is asked solely
about the new oversight process, I think the more timely information is
definitely a plus. To the extent it's a broader question -- and as I
read it, it's a broad question -- I'm concerned that -- it feels a
little bit like the NRC is giving with one hand and taking away with the
other.

I understand there's going to be less information coming
from the licensee reports, the event reports; that the company from now
on -- certain information will be considered proprietary. There was an
announcement on the web page a few weeks ago about that.

MR. SETTLES: Outages --

MR. ROSENBLUM: Outage information, right. Information that
had been provided in the past is no longer going to be provided.

MR. SPECTOR: Not on our web page.

MR. MADISON: That's really not part of this -- the scope of
the question is the revised reactor oversight program.

MR. ROSENBLUM: I agree. And I was saying --

MR. MADISON: And I'm not aware of this change. I've been
so focused on this, I have missed some of those other things going on.

MR. ROSENBLUM: No problem. If it's a narrow question, I
think it's on target.

MR. SPECTOR: Yes. We're addressing ourselves to the
reactor oversight program -- there are other programs in the Agency.

MR. ROSENBLUM: Let me make sure -- okay. Fine.

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1 MR. SPECTOR: In this program --

2 MR. ROSENBLUM: In this program, I think it's an
3 improvement. Yes.

4 MR. SPECTOR: Okay. Now, this one I'm going to ask. We
5 haven't asked -- Al does not know which question it is, the question of
6 unnecessary regulatory burden.

7 Do you believe that the new oversight process reduces
8 unnecessary regulatory burden on licensees and the NRC? And I know we
9 have some licensee people here; we have NRC people, public people.

10 But from the amount of information that you do know -- and
11 we only had the pilot for about several months, only about six months --
12 are you getting a sense that this is reducing a certain amount of
13 unnecessary regulatory burden or too soon to tell or --

14 MR. TUBBS: I think that one thing that perhaps is a measure
15 is that -- you mentioned it in this meeting and have mentioned it in
16 other places, too. It was in the performance oversight panel assessment
17 group, that it doesn't look like at this point there's going to be any
18 reduction in man hours required by the Agency. That would --

19 MR. SPECTOR: The NRC.

20 MR. TUBBS: Yes. I think that would tend to give some
21 indication about an answer to this question. It's somewhat indirect,
22 but I think that would tend to give somewhat of an answer to your
23 question.

24 MR. LICKUS: In what way? I mean, are you saying that it's
25 not reducing?

MR. TUBBS: Right. If there's no reduction in your
manpower, in your man time, in your efforts, then how is -- isn't it
likely that's going to follow on the licensee?

MR. MADISON: I don't mean to speak necessary for all
licensees, but some of the feedback we've gotten from industry on this
is that there was a -- kind of an ancillary or collateral target that
got hit, when we -- every inspector hour at a facility meant more than
one licensee hour to handle that.

So even though -- and with the program, what we've done is
we've not only focused our attention on the safety aspects, but we've
advertised what our focus is and what our concerns are and how we're
going to judge those safety issues.

We've put out on the table, with the significance
determination process that goes and grades the issues, the inspection
findings, much like a performance indicator, we put out on the table,
These are the assumptions we're going to use; these are the measures
that we're going to take to look at these issues, to determine their
safety significance.

So now the licensee is aware of those. We're aware of
those, so when we have that discussion, it -- that -- their effort that
they have to do when they prepare for that discussion is much less.
They already know what we're going to talk about.

And the response I've gotten back, for example, at the
Cooper nuclear station was at one of their early exits, when the
inspector came to the table with the issues and she went through her
issues, and said, This is how I graded the safety significance of the
issues, based upon this, this, and this, all the licensee could do at
the other side of the table is going, Yes; that's it.

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1 The people that had brought the boxes of information to
2 rebut that concern or explain that concern needed to find other
3 employment. And the licensee needed to redirect those resources. So
4 they had -- their collateral damage, as far as the impact that the --
5 you know, our inspector hours are has been reduced in that way.

6 So the unnecessary burden, we think -- there may be an
7 aspect of that that's not measurable by our own inspector hours.

8 MR. TUBBS: Well, I believe there's hope based on the SDP
9 process for some improvement in the future, because we will know where
10 you're going. I think there's hope, and I think that's a wonderful
11 piece of this process, the SDP.

12 MR. PETERSON: Dave, I would tell you that I think we saw
13 that, at the benchmark inspections.

14 MR. SPECTOR: Could you talk a little louder. She's having
15 a hard time.

16 MR. PETERSON: I think what we saw in the inspections that
17 were run was the team arriving with, in several cases, clearly designed
18 areas to look at, that focused clearly on those, and they were risk-
19 significant. And so, I mean, the time frame that they were on the
20 station was focused. They got into what was really important, and I
21 think the key word up there in that question is the "unnecessary."

22 And, I mean, it gets back to what you were saying, Alan.
23 You know, we're really down into the safety-significant issues there,
24 and we're looking hard at those and, you know, moving on. And so, at
25 least from my standpoint, watching the inspections that we did, I
26 noticed a difference that I think was a real improvement in focus.

27 MR. MADISON: Then I would ask another question, kind of
28 playing off of that one. Are the inspections too structured? You say
29 you come in with these defined things you're going to look at and all
30 this kind of thing. Is there enough leeway to balance into other areas,
31 and to follow whatever is developed? I'd ask Laura that.

32 MS. COLLINS: I don't think there's the same amount of
33 flexibility that there used to be, and I think this is one of the areas
34 where not all the data's in to make a conclusive judgment. We haven't
35 encountered all situations to say, Can this inspection program handle
36 it. That would be my answer at this point.

37 MR. RING: I'd like to go back a moment to something you
38 said, Dave, and now help me out here. I think you started out with,
39 There isn't a difference in -- whatever term you want to use --
40 inspector hours or something like that, from the old program to the new
41 program.

42 MR. TUBBS: Well, that's what I've been told, that there
43 isn't sufficient data yet to determine there would be any reduction in
44 the NRC's manpower efforts.

45 MR. RING: And the reason I wanted to go there is where
46 we've heard that from, I think, is a comparison of apples and oranges.
47 It's not something that you can compare easily, because the older
48 program was broken up into a core program and a regional initiative and
49 so forth.

50 What happens under this new program is that all licensees
51 received the baseline inspection, and then based on the performance
52 issues that arise from that, any additional inspection, such as
53 supplemental, might come about.

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1 If you look at the baseline inspection program, compared to
2 the combination of the old core program and the regional initiative
3 program, there's a significant reduction. And in the new program,
4 unless there is a performance problem, you never get beyond the baseline
5 program.

6 So my only point in this is I think the information that
7 you're hearing, that compares the two, is not a real comparison. It's
8 an apples and oranges thing.

9 MR. TUBBS: And I understand that, and I qualified that by I
10 understand that we're still -- we haven't got enough information to make
11 a full determination, but I guess I'm just concerned that I think
12 there's potential to head that way and to reduce the NRC's time and
13 maybe even the licensee's time in that. But we just -- we want to make
14 sure that we keep marching that direction, if it's justified.

15 MR. MADISON: Well, the focus on the -- during the pilot and
16 one of the -- we said it over and over again, and it was a direction, a
17 clear direction, we got from the Commission -- is that we're going to
18 find out what it takes to accomplish the inspection program, to meet the
19 objectives, the assure the objectives of the cornerstones are met.

20 It may even mean an increase in some aspects of the
21 inspection activity, and we have seen, in some focused areas, that it is
22 an increase in some areas. It may be a reduction in others. What the
23 balance is going to end up being, we don't know yet, because we haven't
24 exercised it enough, we don't think, to really tell overall what it's
25 going to be.

 But the goal, the direction the inspectors were given, was
accomplish the objectives of the inspection, and we'll collect the data
on how much time that takes.

MR. SPECTOR: Dan?

MR. ROSENBLUM: I like what I just heard. I don't accept
the premise that there is unnecessary regulatory burden. I think in
some cases the NRC's activities may not have been the most efficient use
of their time, and that may have led to a less than efficient use of the
company's time. That I can buy.

MR. MADISON: And that' show we define it.

MR. ROSENBLUM: But in terms of -- and that's great.

MR. MADISON: And that's really where we're --

MR. ROSENBLUM: But in terms of overall burden, you may need
to do more inspections in some cases, less in others, and that makes
sense.

MR. SPECTOR: We said, you know, we're a regulatory agency
and we're going to be a burden. That's a given.

MR. ROSENBLUM: That safety is paramount, and you do your
job.

MR. MADISON: That safety's paramount, and that's our
objective. Where we can get more effective and efficient, and where we
can focus our resources on really safety-significant issues and not
spend so much time on issues that aren't of safety significance, we can
reduce unnecessary burden that way.

MR. TUBBS: And that speaks, too, to a little bit of a
question we had earlier, too, about a balanced view being presented to
the public. This isn't maybe exactly balanced exactly, but, I mean,
I've seen in my experience, which is limited to only a couple of plants,

1 that the SDP process has changed some of the time and effort given to
2 various things. And as Chuck said, particularly at Quad, we believe
3 that's been beneficial, to move off of some of those less safety-
4 significant issues.

5 I think that's going to present -- maybe the word isn't
6 "balanced," but I think it's going to present a more true or a more
7 representative picture to the public, with the use of that SDP process.

8 MR. SPECTOR: With that, we can go right into the next
9 question. Does the new oversight process enhance public confidence by
10 increasing predictability, consistency, and clarity, objectivity of
11 NRC's oversight?

12 I think you were kind of getting to that issue. Dave, did
13 you -- go on.

14 MR. TUBBS: I think this in some -- couple of -- like, for
15 instance, the last meeting we had in Rock Island, there was almost
16 nobody there from the public. I think one of the comments made about
17 this is so technical and so wide-ranging a thing, I think a lot of
18 people in the public are just scared, or they just -- they don't want to
19 spend the time.

20 And I think that as opposed to people committing to come to
21 a meeting, whether it's even good weather or ill weather, to talk about
22 nuclear safety, is not a reasonable expectation in the near future. I
23 think they're going to get their information from other sources or other
24 ways.

25 Now, if they hear from other people or someone takes them to
this web site or they find it for some reason, they may say, Oh, they're
all green; I'm pretty comfortable. And there may be some value there.

But I think it still gets down to in informal discussions
when you're around your church group or after a softball game, you start
talking about those sorts of things, and I think it's the perception
that that group has, and somebody who maybe has some knowledge or
information sort of leads that. That's really going to be the source
for the average Joe Common Public about how's -- what's nuclear safety
like, both in general and at a particular plant or particular area.

MR. SETTLES: That plays back to why I was asking for a
simple statement for my 84-year-old mother. I mean, when I go home, I
go to Chicago, I go to anyplace where I know people, I get one question.
There's only one question they ask. Is that power plant safe? They
don't care about the performance of what the operators are doing or
anything else. All they want to know, is that power plant safe. That's
the question I've got to answer.

MR. SPECTOR: Right. And that's --

MR. SETTLES: They don't care how many greens you got. I
mean, it's nice, but that's --

MR. LICKUS: Well, they do, but --

MR. SETTLES: They do, but you've got to answer that first
question to even get into that game. Is that power plant safe?

MR. LICKUS: To expand on what you're saying, my view of --
and help me from members of the public that are here, but ultimately, I
think, when you ask some of these questions of members of the public,
they're not going to want to commit to tell you right now, based upon
your presentation and what they know of a very early trial program, if
it's going to be better or if it's going to be successful.

1 Members of the public are ultimately going to judge the
2 success by the performance of the facilities over time. And if the
3 facilities operate safely and provide reliable power, they will then
4 judge the regulatory program probably to be effective and efficient as
5 well.

6 But I think -- at least my view -- and I'd like to hear your
7 view about how members of the public view this. I think our performance
8 is, indeed, tied to how well plants operate.

9 MR. SETTLES: Well, I think -- and this is from my own
10 personal one; this isn't from my agency. My own personal one is it's
11 also tied very much to every time -- anytime you look at, let's say, an
12 evaluation of ComEd in the Tribune, what's the first thing you see about
13 a power plant?

14 They got \$100,000 worth of fines last year, or anything like
15 that. It's not just performance; it's tied to money on fines, because,
16 I mean, they can make a billion dollars worth of money for electricity,
17 but the \$100,000 worth of fines, that's almost something that people can
18 grasp. And until the fine -- if the fines go down -- let's put it that
19 way -- then the program will be judged a success.

20 MR. ROSENBLUM: That's interesting. I understand this is
21 leading to reduced fines --

22 MR. SETTLES: I don't know. I'm --

23 MR. ROSENBLUM: You're not going to be asking fines in the
24 cases you do right now. Right?

25 MR. MADISON: Let me explain that. Yes, that's very true,
with some exceptions. There are certain things we think fall outside of
the -- what we call the significance determination process arena, the
issues associated with equipment and hardware, that go more toward the
regulatory process, the information that the Agency needs to do our job
of assessing licensee performance; the LERs, the licensee event reports
you mentioned, whether or not those are reported to us at the time
they're required and with accurate information.

Now, the issues that would go -- so those things fall
outside of what we've set up for safety significance determination
process. They go more to our ability to get the information we need,
that we can depend upon from the licensee to do our job.

And they still retain a fine. They still retain a severity
level framework 4 through 1 that they have in the past. So, in other
words, you know, willful violations, people lying to us, we're still
going to do that type of -- because some of those, the fines can be
actually personal fines in some cases. It's not necessarily -- we
haven't done that too much at the reactor program, but with the
nonreactor program, it's been a pretty consistent application of the
process.

The -- with the issues, the mechanical type issues that fall
within the safety determination process, within this determination
process, we are eliminating the issue of fines. So basically if it's
something that falls within the green band, it's generally going to be a
noncited violation.

It will end up in a report; it will be documented; it goes
into the licensee's corrective action -- if it goes in the licensee's
corrective action program and they take timely action, they get what's
called a noncited violation. And it's really an acronym, because we

1 write it in a report, so it's really cited in a report, but they don't
2 have to respond. It saves them the paperwork of responding to the
violation, because we already know the action they're going to take.

3 Anything that's of a greater safety significance, white or
4 greater, they receive a notice of violation. They have 30 days to
respond to that and tell us what their corrective actions are going to
be.

5 The reason we did that is we -- when you stop and think
6 about the amount of money involved with \$50,000 fine and the amount of
money that the licensees are dealing with, as far as the generation of
7 electricity at a large power plant, it's really small compared to the
impact a team of 20 inspectors can have or five inspectors at a
facility.

8 Our impact is based upon the amount of engagement that we as
9 an agency have. If we spend more inspectors out to the site, it really
is a much greater impact on the licensee. So by escalating our
10 inspection activity, we felt we had a greater impact on the licensee's
performance. They knew if performance slips to a certain level, we're
11 going to come out with a team inspection.

12 They want to avoid that, much more than they really want to
avoid a fine. We felt we got more bang for our buck out of going that
direction.

13 MR. ROSENBLUM: I hope you didn't think I was arguing the
opposite.

14 MR. MADISON: No, no.

15 MR. ROSENBLUM: I think you're going the right direction.
All I'm saying is I think the reduction in fines may have a misleading
16 effect, not to the -- that's just the way it goes. It may increase
public confidence, because there's a perception of less penalties, less
17 problems. It's actually meaningless.

18 In terms of will this enhance public confidence, I think
you're right. It probably is premature to answer that question. In
terms of what the measures will be, you're right in part. It's going to
19 be performance.

20 But I think I'd divide it up a bit more and say it's also
going to be a question of how quickly the NRC responds to problems, if
21 the process works, and you get the problems early on and you avoid the
Dresdens, the Millstones, the really bad cases we've had for too long.
Then it will work, and that'll be great. But we really don't know yet.

22 MR. MADISON: Yes. David Lochbaum from the Union of
Concerned Scientists had pretty much a similar take on it, and it
depends upon how we drive this process. If we perform -- if we do the
23 job that we say that we're going to do under this program, then we've
done well. But David's point was, you know, you can do with a great
24 program -- if you don't do it well, you still haven't done the job
you're supposed to do.

25 MR. ROSENBLUM: Right.

MR. SPECTOR: We have this initial stage, the first phase
that we're still in. We're still going to be looking at the program.

Anything else on consistency or clarity? Any other comments
on that? Okay. We're getting --

MR. ROSENBLUM: Actually -- I'm sorry. I just had one more
comment.

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1 MR. SPECTOR: Sure. Go on.

2 MR. ROSENBLUM: I think part of the public confidence will
3 be related to how much inspections -- how many inspections are done in
4 the future. If the public perceives a reduction in the level of
5 inspections, the number of inspections, which I understand is partly
6 being done for budgetary reasons, if I'm correct, that, I think, might
7 have a negative impact on public confidence.

8 If the NRC maintains the level of inspections, at least for
9 the period it takes to ensure that this process is actually working, I
10 think they'll have a whole lot more public confidence. I think you want
11 to keep the inspections going until there's a confidence that the
12 performance indicators actually work.

13 MR. SPECTOR: Well, we have the -- I don't know if -- we
14 have the baseline inspection --

15 MR. ROSENBLUM: Well, I realize that. Right.

16 MR. SPECTOR: -- and special inspections --

17 MR. ROSENBLUM: I understand that, but --

18 MR. SPECTOR: But to make sure we keep that up.

19 MR. ROSENBLUM: And that there not be a reduction in the
20 overall number of inspections during the near term, a few years. The
21 public, I think, has probably more confidence when they know you're out
22 there, looking at the plants, than if they know you're looking at some
23 numbers that appear to be kind of coming out of a black box. I mean,
24 nobody really understands these numbers.

25 I think there's a little bit more of a sense that, Hey, you
guys are out there, looking. That may be wrong, but I think there's
probably more confidence if they know you're out there looking. And
like you said, if the companies know you're going to come out there,
they pay more attention, too.

MR. SPECTOR: Now, that leads us to the next question, which
is getting close to the time period that we want to try to end this.
But one of the questions that we're interested in was resources.

Do you believe that the new oversight process improves
efficiency and effectiveness of the NRC's regulatory process, focusing
agency resources on those issues which are most safety-significant?

Any -- is that getting to partially what you were just
talking about, to some degree?

MR. ROSENBLUM: Partially, but I'm saying that in addition
to whether you're using your resources more efficiently, there's also a
public perception issue.

MR. SPECTOR: Okay.

MR. ROSENBLUM: But, yes. I do think that the process will
improve efficiency, to the extent you go after problem plants and focus
your energies where it's really going to help. It's a plus.

MR. SPECTOR: Okay. Any other comments? Do you all want to
leave now? That's a given.

Keith?

MR. WALTON: I know that we've talked amongst us in the
Agency about some safety-significant issues that have cross-cutting
aspects that may not be picked up very well by this new program. Human
performance issues, specific other -- engineering issues, like motor
operator; valve issues or equipment qualification, or environmental
qualifications, such as -- those programs may not be captured by the new

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1 program, and I know that that's an issue that we are aware of.

2 Correct? Maybe I'm leading you into a statement.

3 MR. MADISON: Well, that's a concern that some folks do
4 have, and we're trying to do more research in that area. The basic
5 premise of the program -- one of the basic premises of the program is
6 that what I identified as some of these cross-cutting issues will
7 exhibit themselves in equipment and other safety-significant issues at
8 the plant, for example, human performance in the maintenance area.

9 If humans are not performing well in the maintenance area,
10 the availability of equipment will go down. They're not maintaining the
11 equipment as well, so the availability of that equipment goes down.
12 There'll be problems identified in inspection activities, when we look
13 at the maintenance work on valves, pumps, and other pieces of equipment.

14 In the problem identification resolution area, that same
15 type of premise: You know, if they're not identifying their problems,
16 we'll start identifying their problems. If they're not correcting their
17 problems, we'll find more of those problems when we go out and look in
18 some areas.

19 So that there is the assumption that -- a basic premise that
20 if they're operating in the green band, that -- in these performance
21 indicators and the inspection activities that we've identified, that
22 their problem identification/resolution program is working. They're
23 identifying and correcting their problems before we can find them; that
24 their human performance must be pretty -- must be acceptable, because
25 their performance -- their availability of their equipment is good, and
26 they're not having the problems that we would identify through the
27 performance indicator or the inspection program.

28 Now, there is and always probably will be some concern in
29 certain areas, like safety-conscious work environment and human
30 performance, that we may not be what's called leading enough in those
31 areas, and that's something we're struggling with and we're trying --
32 we're putting a task force together to look at that issue.

33 You got to get to a point where you say, How leading is
34 leading enough. We're not trying to prevent every reactor shutdown. I
35 mean, the systems out there were designed to shut the plant down in the
36 event certain things happen. That means they're operating properly.

37 We're not trying to manage the plants from Rockville or from
38 Washington, D.C., anymore. So how leading is leading enough? And
39 that's a question that we tried to answer with the program and setting
40 the thresholds at the green/white. But we're going to look at it again.

41 MR. SPECTOR: This is the last question, I promise you. But
42 I think you kind of talked about it earlier, but it's kind of a last
43 issue.

44 Are there any other appropriate means -- now, we've had
45 these little roundtable meetings; we've had some other public meetings,
46 et cetera. But are there other means that the Agency should consider in
47 trying to get the word out to the public, communicate with the public?

48 MR. SETTLES: Well, I've got a personal question. I've
49 always wondered about the NRC on this area, is you're looking for
50 feedback. It seems like a way most people do -- a lot of agencies use
51 Gallup polls, for example.

52 How come you don't go out and poll people? I mean, the
53 polling system, they tell us is, with a very small sampling, can give
54

1 you very accurate results, so why don't you use that method of feedback?

2 MR. SPECTOR: I know you've been at some of the biweekly
meetings where we've talked about this.

3 MR. SETTLES: No, I haven't actually.

4 MR. SPECTOR: Oh, you haven't?

5 MR. SETTLES: No. That's my intent. I've never been in any
meetings I've ever asked that question.

6 MR. BECK: Of course, in Iowa this season, that's a real
topical question, so --

7 [Laughter.]

8 MR. BECK: If you listen to some of the politicians, it's
either a godsend or --

9 MR. SETTLES: I'm sure it is, but it's a given in our
political system or one way of doing business that people understand.

10 MR. WALTON: Well, that's what I'm wondering. Maybe people
understand the political process, so they can answer a poll, but they
don't know what the NRC process is and they won't be able to answer a
poll.

11 MR. SETTLES: Well, maybe it's not appropriate. I don't
know.

12 MR. SPECTOR: But our real focus here is what things could
we do. Do you have any suggestions of things -- and I think that's a
good point. What could we do to give information about what NRC does to
the public? That's really what that amounts to.

13 MR. MADISON: Solicit feedback.

14 MR. SPECTOR: Related to the revised oversight process is
what we're concentrating on. It's a broader issue. Are there any other
ideas on that?

15 MR. ROSENBLUM: Well, really just a question. Will this
process be continued some six months down the road, when there's more
data, more of a sense of how things are working, six months, twelve
months? You might have a better idea whether the indicators are
working.

16 I know there's been some problems over the last few months
of, I guess, changing of view, as to whether something was green or
white. I read through the Quad Cities -- the additional items on the
web page. That'll happen early on in a program.

17 But it'll be interesting to see what happens further down
the road. It'll be interesting to see what type of response the NRC has
when problems do occur, interesting to see what inspections are
required.

18 MR. SPECTOR: How would you -- let me just interrupt you for
a second. How would you expect the public to get -- to find out about
that? That's what we're interested in.

19 MR. ROSENBLUM: And what I'm asking really: Will we have
more opportunities similar to this, when there's more data available?
You might want to present a summary of what's happened so far, using the
web page, using mail-ins, people who are interested; invite people to
provide feedback to that point, and I might add, also make it clear that
to the extent that people have questions and need more data, to provide

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20 I mean, one problem people have is they're not experts on
nuclear engineering issues, and I sure -- I can't do that. I think it

1 would be very useful if the NRC made it clear that you would facilitate
2 their understanding some of the issues, so they could provide more
meaningful feedback.

3 MR. SPECTOR: Okay. That's good.

4 MR. SETTLES: Let me ask you this, Al. You mentioned
5 earlier you were the one answering the questions that you got on the --
6 are you seeing an increasing -- as your web page is developing, are you
7 seeing an increasing number of questions?

8 MR. MADISON: No.

9 MR. SETTLES: Okay.

10 MR. TUBBS: What's the level of depth or complexity to the
11 questions?

12 MR. MADISON: Oh, it varies a lot. It really does, all the
13 way from basic premise questions to real engineering detail. And, you
14 know, I can't answer them all, but I can get the right guy to answer the
15 question.

16 You weren't here earlier, and maybe -- let me give some
17 information that the other folks here were privileged to that you
18 weren't. We have promised that in June of 2001, we'll also report to
19 the Commission on the overall program effectiveness, and we're
20 developing a process now to measure that, that will look at the industry
21 performance, overall industry, not just individual licensee, but overall
22 industry, as well as program effectiveness and implementation
23 effectiveness, and report to the Commission on those issues, as well as
24 the long-term issue of what's the resource impact.

25 We're not going to make -- we don't intend to make any final
comment on resource impact until then, when we have enough data, and we
will do that every year following that. We will make that same report.

What used to be the senior management meeting, that's going
to change. That senior management meeting used to come out and report,
and this new -- this year's senior management meeting will kind of be a
mixture of this new concept and the old concept.

But the new senior management meeting concept is it will
come out and report on overall program effectiveness, overall industry
performance, and the actions that the Agency's taken or plans to take in
the future, not coming out with a problem plant list, but just
highlighting some of the key actions we've taken in the past, and if
there are any key actions we plan to take in the near future.

On an as-needed basis, instead of waiting for the senior
management meeting to publish problem plants, on an as-needed basis, the
senior management will meet with the Commission to take action based
upon significant problems at licensee facilities.

MR. BECK: Well, and the action matrix also talks for public
meeting and things of that nature, too.

MR. MADISON: Well, the public meetings that it's talking
about primarily are meetings held for individual facilities as problems
arise, and the level of our management, NRC management, involvement in
those public meetings, depending upon the significance of the issues at
each individual facility, what we would expect the level of engagement
of our manager at that facility.

MR. SPECTOR: Okay. Thank you. Let me -- it's nine
o'clock. We promised that -- according to my Washington watch,
Washington, D.C. I guess the State of Washington might be a little

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1 different.

2 Are there any other suggestions or comments or reflections
3 that anybody would like to make? Yes, sir. Dave?

4 MR. DeBARRE: Yes. I'd like to make comment. I can say
5 most of what I've heard tonight, you heard me say earlier. As
6 represents the public, I think it's too technical. The things that
7 you've gotten into mostly this evening probably is of more interest to
8 the plant people and the people within the Department of Nuclear Safety,
9 for those individuals that could be slightly opposed to nuclear power,
10 lawyers representing their interests and whatever.

11 The people that I deal with in the general public are taught
12 through the local media in most part, newspapers, television, Department
13 of Nuclear Safety, working with me in the state of Illinois, have set
14 about informing the people about, This is not a bomb plant; it's a plant
15 that if something goes wrong with it, there'll be a plume, and depending
16 on wind direction, cause different problems.

17 Our involvement, of course, involving with FEMA, start
18 talking about things like, is there too much emphasis between Department
19 of Nuclear Regulatory Commission and the plants? As far as the public
20 is concerned, lean on them; lean on the plants. That's what the public
21 really expects.

22 Now, between the two of you, when you're sitting here
23 amongst yourselves, work out things so that they're not trivial. Okay.
24 That's what the people expect.

25 From discussion I've had with Roland in regard to things,
he'll inform me of things like the penalties imposed upon the plants,
and I can tell you that has an adverse effect on a community. When you
start putting in the newspaper that things happen -- and they have to be
a matter of public, but at the same time, just say, Something is wrong
at that plant, and the people start to get worried about it.

So when you get into a matter of safety, how people feel,
the various agencies I deal with and the county board, again, it's a
matter of: How safe is it? Right? You mentioned that.

When I first came on this job, one of the first things that
came to mind after being informed of, It's not a bomb plant, the thing
about interest in wanting to know how safe that plant was -- and I might
tell you, I've never gone back and gotten the facts on it -- but I
questioned myself and said, How many of that management plant are in
that ten-mile planning zone? Or do they live outside of it? Will that
tell you a story in regard to how safe is that plant? Of course, I also
realize it depends within that area what type of housing is available
and that, too.

But the things that have interested me and, I think, the
public are things like the meetings that the Commission has had at the
plant, where they can come up with a program, go down the list with the
public that's there, and say, This happened in this last six-month
period or whatever, and these are the actions we've recommended, and
here's an individual that's in charge of that department. Now, what do
you have to say about why that job didn't get done, and what do you plan
on doing to see to it that it does get completed?

I think these are the things that the public is interested
in and that I'm interested in. And as I mentioned, I think too much of
what went on tonight was really too technical. It's above me, and I

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1 think it's above the general public.

How safe is the plant? That's it.

2 MR. SPECTOR: Thank you very much.

Kathy, would you like to comment?

3 MS. STODOLA: In my job, I train about 200 emergency workers
4 that would respond to an event at a nuclear power plant, and, you know,
5 it's not perceived out there that there's problems always, the ones that
6 I deal with. But I think that's a good avenue to use, for us to inform
people about nuclear power, so, you know, as far as the technical issue
of it, it's the same thing.

7 How safe is the plant? Are you going to glow when you walk
8 out, that kind of stuff, you know, trying to cut those issues out that
9 people -- the way the movies portray it and the way, you know, the --
10 the latest movie they had on the Y2K movie -- I do a lot of work in the
11 public affairs for the power plant exercises, and it's just like, you
12 know, you work so hard, and in one hour, it's all brought down.

But I'm tired and hungry, so --

13 MR. ROSENBLUM: I have one more comment, kind of putting
14 things in context, at least from my point of view, and that's that
15 there's a merger right now between UNICOM and Peco Energy, and I think
16 there will be some concern among a lot of people that with mergers, you
17 often have cost savings.

18 If you read the Wall Street Journal today, there was a long
19 article on what happened in the telecom industry, which has actually
20 often kind of led the way for the energy industry.

21 There will be a concern that as they try to cut costs, they
22 may cut corners. I hope that doesn't happen, but I think it makes it
23 all the more important that this new process work and work well.

24 MR. SPECTOR: Thank you very, very much. I appreciate it.

25 If any of you would like to have a copy of the transcript,
just see me afterwards. I can get your name and address. We'll mail
them to you within about two weeks. Just let me know, and we'll take
care of you. I appreciate it.

Drive safely; get home safely. Thank you very, very much.

[Whereupon, at 9:07 p.m., the meeting was concluded.]