

COMMISSION MEETING SLIDES/EXHIBITS

**BRIEFING ON THE STATUS OF
THE FUEL CYCLE FACILITY OVERSIGHT
PROGRAM REVISION**

WEDNESDAY, DECEMBER 20, 2000



**IMPROVEMENT OF
OVERSIGHT PROGRAM
FOR
FUEL CYCLE FACILITIES**

NRC PERFORMANCE GOALS

- **Highest Priority: Maintain Safety and Common Defense & Security**
- **Increase**
 - **Effectiveness, Efficiency & Realism**
 - **Public Confidence**
- **Reduce Unnecessary Regulatory Burden**

DRIVING FORCES

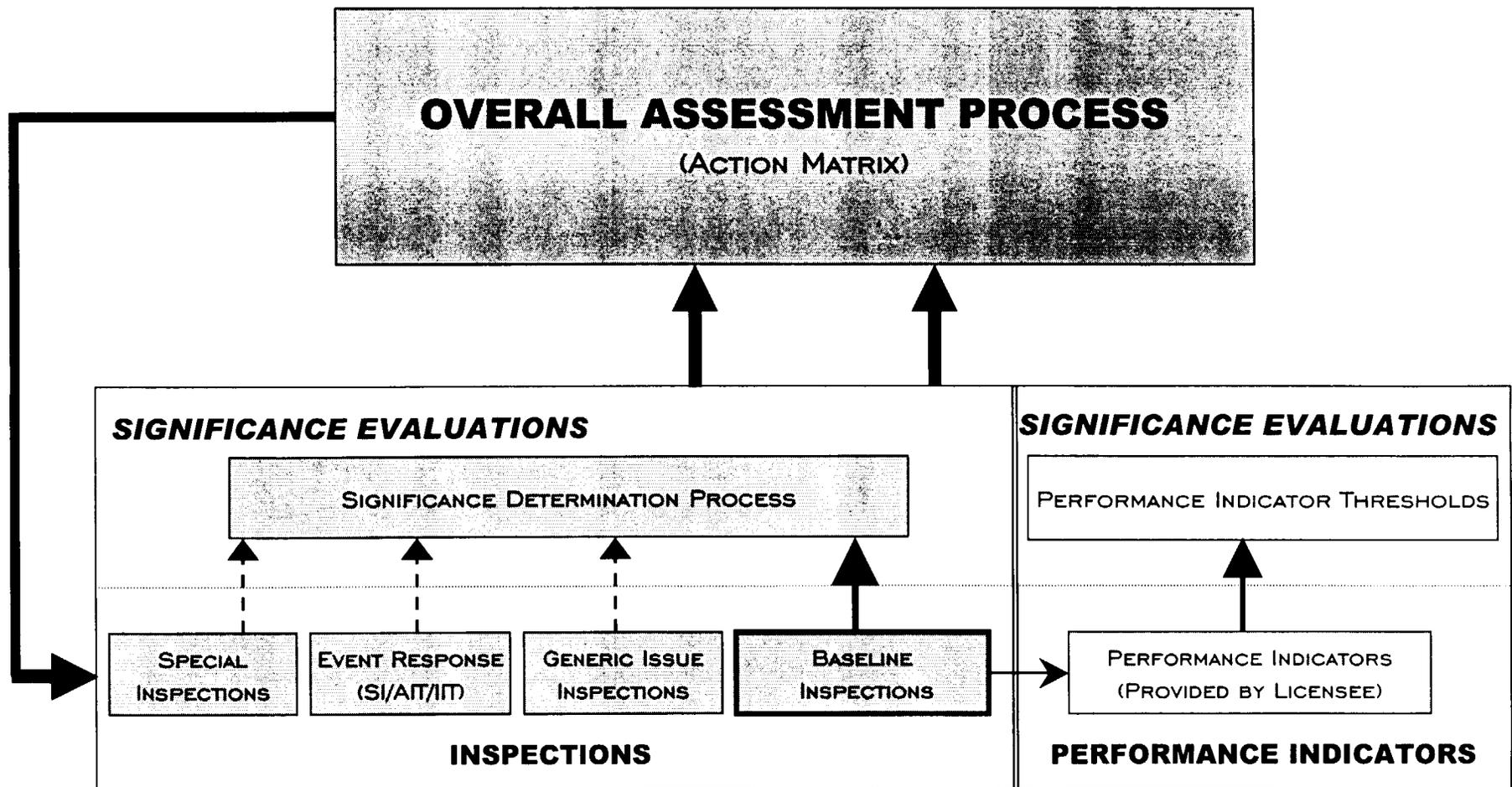
- **Expected Benefits**
- **Mature Industry/Technology**
- **Improving Safety Performance**
- **New Part 70**

REVISED OVERSIGHT

- **Risk-Informed and Performance Based Program**
- **Inspection Baseline (Core)**
- **Objective Assessments**
- **Predictable Response**

- **Corrective Action Program**

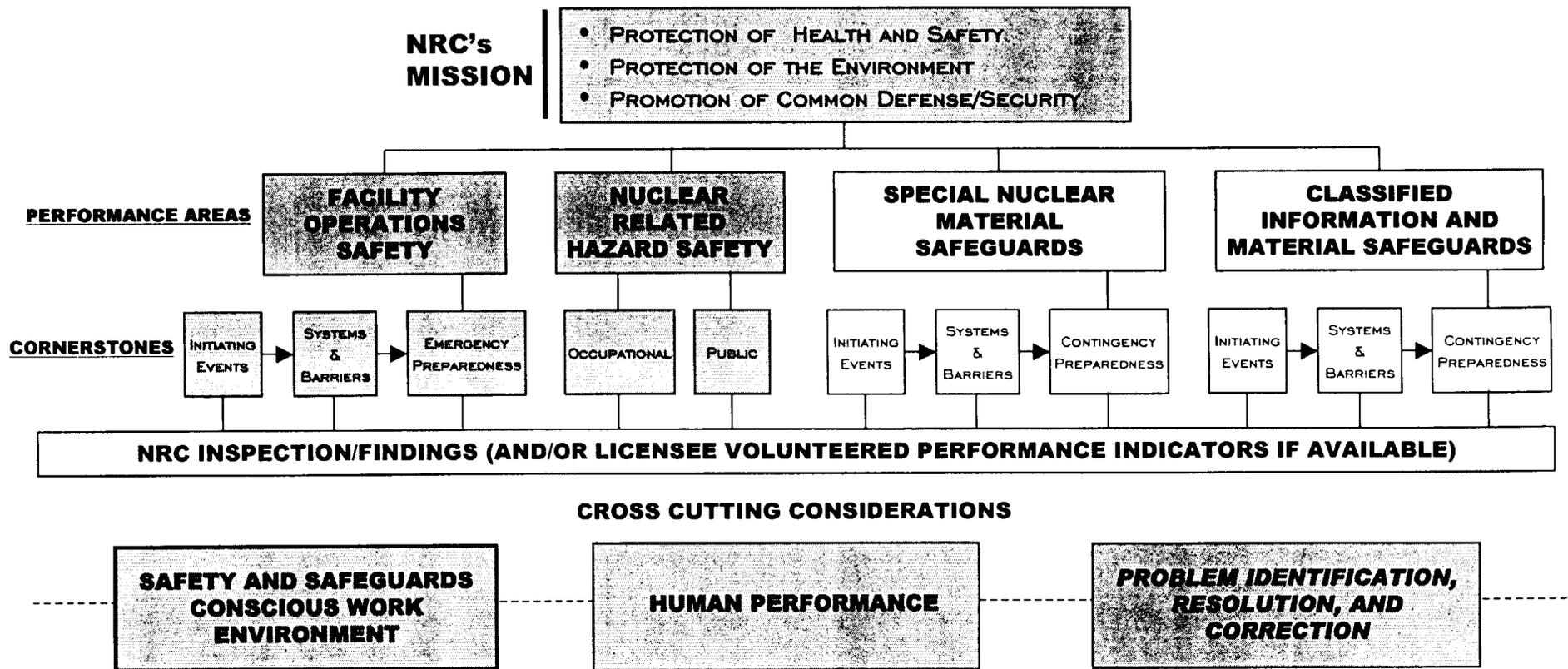
FUEL CYCLE FACILITY OVERSIGHT FRAMEWORK



← PERFORMANCE IN CORNERSTONES: SAFETY AND COMMON DEFENSE/SECURITY →

FUEL CYCLE FACILITY CORNERSTONES

REASONABLE ASSURANCE NRC MISSION/GOALS ARE MET
WHEN CORNERSTONE OBJECTIVES ARE MET



NOTE: DARKER SHADING INDICATES AGREEMENT OR ALIGNMENT

STATUS OF ACTIONS

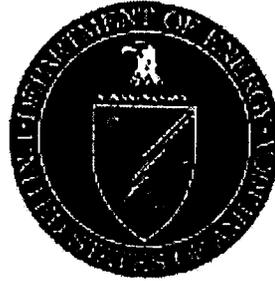
- **Learned Lessons from Other Initiatives**
- **Seven Public Workshops**
- **Stakeholder Support**
 - **Defined Performance Areas**
 - **Agreed Upon Oversight Framework**
 - **Agreed Upon Safety Cornerstones**
- **Stakeholder Communication Plan**

REMAINING TASKS

- **Safeguards/Security Cornerstones**
- **Licensee Corrective Action Program**
- **Significance Determination Process**
- **Inspection Procedures**
- **Performance Assessment Process**
- **Enforcement Policy**
- **Performance Indicators/Thresholds**

CHALLENGES

- **Timing**
- **Paradigm Shift (Stakeholder Buy-In)**
- **Corrective Action Program**
- **Risk/Performance Determination**



Fuel Cycle Facility Oversight Program DOE's Perspective

**Randall M. DeVault
DOE Oak Ridge Operations
Regulatory Oversight
Manager
December 20, 2000**

DOE's Interest



- **Share regulatory responsibilities at the Gaseous Diffusion Plants with NRC**
- **Common areas of interest for worker/public safety:**
 - **Nuclear and Chemical Safety**
 - **Safeguards and Security**
- **Stakeholder and continuing participant**

DOE's Perspective



- **Consistent assessment process for safety, safeguards and security**
 - **Focuses on greatest potential risks and risk significant performance**
 - **More objective performance measures**
- **Consistent with DOE objectives for common areas of interest**

DOE's Experience on Oversight Program Revision



- **Appears to maintain safety, safeguards and security**
- **Increases public confidence in oversight process**
- **More realistic and efficient**
- **Continues to effectively involve stakeholders via public workshops**



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Field of Pipe Dreams: Inactions Yield Lack of Public Participation

David Lochbaum

Nuclear Safety Engineer

December 20, 2000



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Situation Report

In the movie “Field of Dreams,” Kevin Costner’s character was advised, “build it and they will come.”

In real life, Walt Schwink built a platform for meaningful public participation in the fuel cycle facility oversight program revision, but they did not come.



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Probable Causes



- **Lack of confidence in NRC**
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Circumstantial Evidence

**Majority of public interest groups,
including UCS, boycotted August
5, 1999, non-public meeting.**

**All public interest groups, except
UCS, view revised reactor
oversight process as bad.**



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Situation Report Update

**Based on poor track record,
public is very reluctant to trust
NRC staff to do the right thing.**

**Perception is an obstacle to
public participation even when
NRC staff is innocent, as in Walt
Schwink's case.**



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Recommendations

NRC staff must:

- give the public the right not to remain silent at “public” meetings**
- provide the public with timely and complete responses to their questions and concerns**



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Recommendations

NRC staff must:

- complete the fuel cycle facility oversight process revision effort as soon as possible**
- consider reallocating resources from burden reduction activities to this important safety initiative**