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From: "Kivi, Jeffrey L." <Jeffrey.Kivi@nmcco.com>
To: <nrcprep@nrc.gov>
Date: Fri, Dec 28, 2001 12:13 PM
Subject: Comments on the Second Year of Implementation of the Reactor Oversight Process

The Prairie Island comments are included below.

Please contact me if you have questions,

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 12/28/01 11:09
 PRAIRIE ISLAND
 COMMENTS

=====QUESTIONS/ANSWERS=====

1. Are the ROP oversight activities predictable and objective?

Yes, with a few exceptions...had issues with Fire Protection (CARDOX pre-operational test acceptability), Steam Generator inspection (IP-2), Security (Safeguards Advisory), and a potential White Finding (Fault Exposure Time in Phase 2 apparently set arbitrarily to force Regulatory Conference).

2. Is the ROP risk-informed, in that the NRC's actions are graduated on the basis of increased significance?

Yes.

3. Is the ROP understandable and are the procedures and output products clear and written in plain English?

Yes.

4. Does the ROP provide adequate assurance that plants are being operated and maintained safely?

Not by itself, but the ROP does not appear to have any significant gaps.

5. Does the ROP improve the efficiency, effectiveness, and realism of the regulatory process?

Yes.

6. Does the ROP enhance public confidence?

No data to support a conclusion.

7. Has the public been afforded adequate opportunity to participate in the ROP and to provide inputs and comments?

It would appear so. The removal of plant performance web pages limits this.

8. Has the NRC been responsive to public inputs and comments on the ROP?

No experience on which to base an answer.

9. Has the NRC implemented the ROP as defined by program documents?

Template = ADM-013

F-RIDS = ADM-03
 Add = M. NALEY (msm3)

For the most part the ROP has been implemented as expected, with the possible exception with D6 potential white finding and Safeguards Advisory Audits.

10. Does the ROP reduce unnecessary regulatory burden on licensees?

In general, yes, but Performance Indicator Reporting is a substantial new workload.

11. Does the ROP result in unintended consequences?

There is some potential with the Safety System Unavailability Performance Indicator - if a unit is close to a threshold, there could be significant impetus to delay maintenance activities.

12. Does the ROP take appropriate actions to address performance issues for those licensees that fall outside of the Licensee Response Column of the Action Matrix?

Yes. Our experience is limited to one example with a White Finding (essential service water bearing water supply issue). Our experience was that the NRC response was appropriate.

13. Is the information contained in the assessment reports relevant, useful, and written in plain language?

Yes.

14. Is the information in the inspection reports useful to you?

Yes. Although, positive comments/strengths are only brought forward in exit meetings (not reported).

15. Does the Performance Indicator Program minimize the potential for licensees to take actions that adversely impact plant safety?

Yes, except see answer to Question 11.

16. Does appropriate overlap exist between the Performance Indicator Program and the Inspection Program?

Yes.

17. Do reporting conflicts exist, or is there unnecessary overlap between reporting requirements of the ROP and those associated with INPO, WANO, or Maintenance Rule?

Definition of unavailability is an issue. We expect the Data Consolidation effort will resolve this issue.

18. Does NEI 99-02 provide clear guidance regarding Performance Indicators?

For the most part NEI 99-02 guidance is clear. We ran into problems with Safety System Unavailability (for Service Water issue) that required an FAQ. We realize there is no way guidance can cover all eventualities - FAQ is a useful process. In cases of simpler questions, it would be nice to have a simpler/faster process.

19. Does the Significance Determination Process yield equivalent results for issues of similar significance in all ROP cornerstones?

Have some concerns that Physical Protection and Fire Protection can lead to results that would

be inconsistent (e.g., postulated security or fire event leads to equipment failure, the significance of which would have been lower had the failure been due to a random failure). Admittedly, we have no examples.

20. Additional comments?

There is some concern that NRC requirements are getting placed on licensees outside of the Rulemaking process. Inspection Procedures, SDP, and Performance Indicators can impart "requirements" and bypass rulemaking. For example:

- * Safeguards Advisory
- * Fire Protection Triennial Inspection issue with CO2 system pre-operational test
- * Steam Generator issues arising out of IP-2 (low row u-bends)