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December 28, 2001

Michael T. Lesar, Chief, Rules and Directives Branch
Office of Administration (Mail Stop T6-D59)
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

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Gentlemen:

**SUBMITTAL OF THE
STRATEGIC TEAMING AND RESOURCE SHARING (STARS)
Comments on the NRC's Reactor Oversight Process**

Docket Numbers: 50-483, 50-482, 50-498, 50-499, 50-275, 50-323, 50-445,
50-446, 50-528, 50-529, 50-530

Reference: Letter from Michael R. Johnson, NRR, "Solicitation of Public Comments on the
Second Year of Implementation of the Reactor Oversight Process," dated November
15, 2001.

On behalf of the licensees participating in the Strategic Teaming and Resource Sharing
(STARS)¹ alliance and the licensee for Palo Verde Nuclear Generating Station, the comments
below are being provided with regard to the NRC's Reactor Oversight Process (ROP).

The STARS plants appreciate the opportunity to provide comments on the NRC's ROP and fully
endorse the comments submitted by NEI on December 21, 2001.

Since implementation in April 2000, the ROP has exhibited marked improvement over the
former inspection and enforcement process. The process is more objective and scrutable with an
increase in regulatory focus on risk significance and a reduction in unnecessary regulatory
burden. Strict adherence to the ROP guidelines has generally provided for a more predictable
and consistent characterization of inspection findings within an inspected area and, to a limited
degree, from area to area across the spectrum of the inspection areas.

¹ The STARS group consists of five plants operated by TXU Electric, AmerenUE, Wolf Creek
Nuclear Operating Corporation, Pacific Gas and Electric Company and STP Nuclear Operating
Company.

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*E-RIDS = ADM-03
Call - M.S. Macey (MSM3)*

Though improvements have occurred and additional areas needing improvement have been recognized in the second year of the ROP, implementation of the process has resulted in some unintended consequences that continue to present challenges to licensees. A few of these areas are highlighted below.

Issue Characterization

- The interpretation of what constitutes “credible or actual impact on safety” in Question 1 of the Inspection Manual Chapter (IMC) 0610*, Appendix B, Group 1 Questions varies from inspector to inspector; and the interpretation also appears to have changed over time. Resident inspectors at some sites currently consider ANY impact on safety, no matter how slight, to be a “credible or actual impact on safety.” We propose that consistent guidance be developed and provided to inspectors in this area.
- The September 29, 1999, guidance from the Director of the Office of Enforcement on classifying minor violations should be updated to include more examples reflecting the intent of IMC 0610*.

Inspection Reports

- The lack of any positive statements in inspection reports presents an unbalanced portrait of licensees’ actual performance. This tends to foster an overly negative perception of licensee performance by the public.

Performance Indicators (PI)

- The various performance monitoring reporting requirements for INPO, WANO, 10 CFR 50.65, and NRC PIs are currently inconsistent resulting in unnecessary burden on licensees. We encourage and support continuing efforts to refine and coordinate these requirements including the Safety System Unavailability/Unreliability Pilot Program currently under development.

Significance Determination Process

- Since the guidance of IMC 0609 is often very general and frequently subject to interpretation, a frequently asked questions (FAQ) process should be provided for the significance determination process (SDP). The FAQ process has been very helpful in resolving interpretation issues for the PI program. A similar FAQ process for the SDP would facilitate identifying/resolving SDP issues and communicating them to the industry.

Assessment Process

- On occasion, the public has been frustrated by the lack of detail provided in annual assessment meetings for which licensee performance is all “Green”. We propose that the NRC reassess the intended audience and the level of informational detail provided at these meetings.

We recommend that the NRC and NEI continue to jointly identify and aggressively correct these and any other unintended consequences that are subsequently identified.

We appreciate the opportunity to provide comments on the proposed rule. Please contact me if there are any questions (254-897-6887 or dwoodl1@txu.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Don Woodlan" with a stylized flourish at the end.

Don Woodlan, Chairman
Integrated Regulatory Affairs Group
Strategic Teaming and Resource Sharing (STARS)

DW/mlo