



Report on the Differing Professional Views/Opinions Program at the NRC

2002 Special Review Panel

2002 DPO Special Review Panel Members

- **James Fitzgerald**
- **Bruce Boger**
- **E. William Brach**
- **John Craig**
- **Elliott Greher**
- **Bruce Mallett**
- **Chairperson,
– OI**
- **NRR/DIPM**
- **NMSS/SFPO**
- **EDO**
- **NTEU**
- **RII**

Special Review Panel (SRP)

- **Convened pursuant to MD 10.159**
 - **SRP Charter**
 - **Assess DPV/DPO Process**
 - **Review Files for Recognition**
 - **Recommend Improvements**

SRP Methodology

- **Reviewed previous SRP reports and DPV/DPO Case files**
- **Reviewed OIG Audit Report and consulted with OIG auditors**
- **Interviewed program participants and Agency managers**
- **Reviewed other Federal agencies' DPO programs**

SRP Findings (general)

- **Conclusions consistent with
OIG Audit Report**
- **Effectiveness**
- **Organizational climate**
- **Understanding of the process**

SRP Findings (specific)

- **Current process lacks agency level oversight**
- **Current process is duplicative and could be more effective**

SRP Findings (specific) (continued)

- **MD 10.159 time frames are not being met**
- **No points defined for information exchange**
- **Open discussion of views important to safety culture**

FINDING: RECOMMEND:

**Current
process lacks
agency level
oversight**

- Establish an
Agency-level
DPO Program
Manager
(DPOPM)**

FINDING: RECOMMEND:

**Current
Process is
duplicative
and could be
enhanced**

- Revise current process**
- Eliminate DPV step**

FINDING: RECOMMEND:

**Current
process is
duplicative
and could be
enhanced**

- Define appeals
process**
- Eliminate
periodic SRP**

FINDING: RECOMMEND:

**MD 10.159
timeframes
are inflexible
and are not
being met**

- Maximum
timeframes
should be
clearly
defined**

FINDING: RECOMMEND:

**MD timeframes
are inflexible
and are not
being met**

**- Procedures for
case transfer
are required**

FINDING: RECOMMEND:

**MD
timeframes
are inflexible
and are not
being met**

- Track DPOs in Op Plans**
- Restrict DPO Process to DPO submittals**

FINDING: RECOMMEND:

**MD timeframes
are inflexible
and are not
being met**

**- Disallow
expansion of
issues past
those initially
presented**

FINDING: RECOMMEND:

**No clearly
defined points
for
information
exchange**

- Ad hoc panels
meet with
filers to define
scope of
issues**

FINDING: RECOMMEND:

No clearly defined points for information exchange

- Clearly define roles in information exchange

FINDING: RECOMMEND:

Candid, open discussion of issues is an important and necessary element of NRC's safety culture

- Require informal discussion prior to filing a DPO**

FINDING: RECOMMEND:

Candid, open discussion of issues is an important and necessary element of NRC's safety culture

- Emphasize that the process is to be used without fear of retaliation**

FINDING: RECOMMEND:

Candid, open discussion of issues is an important and necessary element of NRC's safety culture

- Institute proactive education and training**
- Directly link recognition to DPO submittal**

SRP Conclusions

- **Establish an Agency-level DPO Program Manager (DPOPM)**
- **Drop the DPV step from informal discussions**
- **Add a DPO appeal process**
- **Eliminate the periodic Special Review Panel**

SRP Conclusions(cont)

- **Allow flexibility in timeframes – within the 120 day maximum**
- **Clearly define roles and points for information exchange**
- **Require informal discussion before DPO filing**
- **Take steps to minimize fear of retaliation**