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Comments attached

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Comments on Reactor Oversight Process

SOLICITATION OF PUBLIC COMMENTS ON THE FOURTH YEAR OF IMPLEMENTATION OF THE REACTOR OVERSIGHT PROCESS

November 5, 2003

While the oversight process is a significant improvement when compared to the past SALP process, there are areas that can and should be carefully and thoughtfully improved with input from those working with and within the regulatory processes. Through close interaction with Regional Utility Group Region 3 (RUG 3), I take this opportunity to respond to the solicited input regarding the Revised Oversight Process.

In a number of RUG 3 meetings of Licensing Managers, several issues relating to the treatment of "Cross Cutting Issues" have become evident. Although there is guidance for the NRC for the treatment of these issues in NRC IM 0305 and 0612, this guidance could be further improved to produce more consistent responses from the industry.

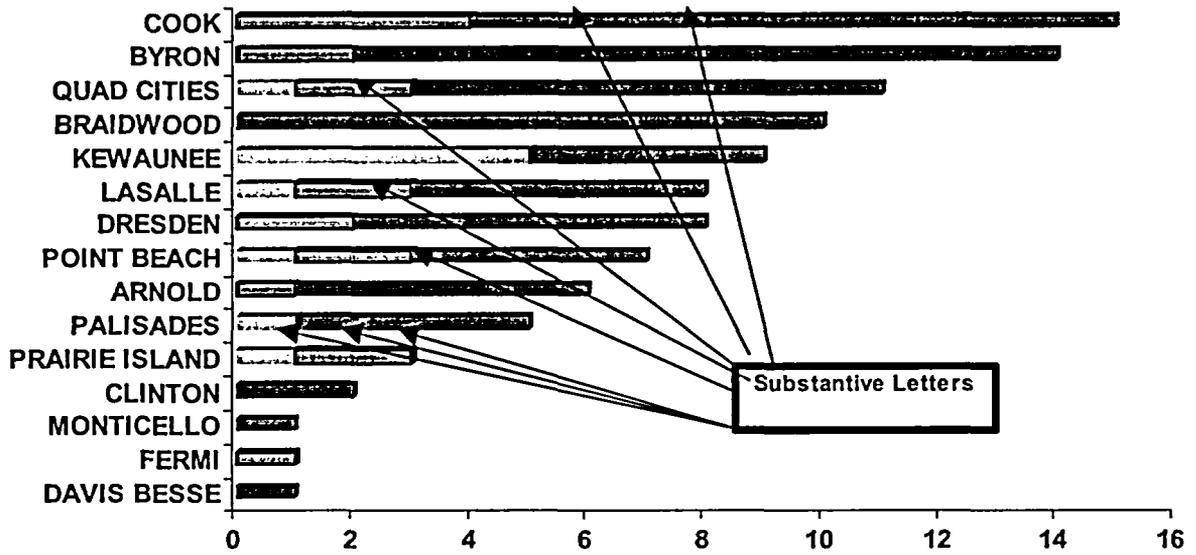
The first issue deals with consistency. In reviewing the Violations and Findings in industry inspection reports since 2000 that specifically mention cross-cutting issue deficiencies, and comparing the results with industry mid-cycle and end-of-cycle assessment letters for mention of cross-cutting issue weaknesses, the results are inconsistent. In some cases, plants with only a few cross-cutting issue deficiencies have significant weaknesses identified in assessment letters. Similarly, some plants with many cross-cutting issues identified in inspection reports have no mention made in assessment letters. I do not propose a threshold for a certain number of deficiencies before mention is made in an assessment letter. However, closer review by NRC management in Mid-Cycle and End-of-Cycle Review Meetings could probably resolve these inconsistencies.

The second issue deals with the expected response by licensees to a significant weakness identified in an assessment letter. Although NRC IM 0305 and 0612 provide some guidance on how and when mention of significant weakness in a cross-cutting area should be documented, they do not address the expected licensee response. In speaking with a number of plants in the industry, the NRC, in practice, expects responses to these "significant weaknesses". The scope and detail of these expected responses varies widely across the industry. To alleviate this issue, I would suggest that more detail concerning expected licensee responses to significant weakness be provided in the appropriate NRC IM chapters. Many feel that the current practice is, in effect, a level of licensee engagement unsanctioned by the ROP Action Matrix.

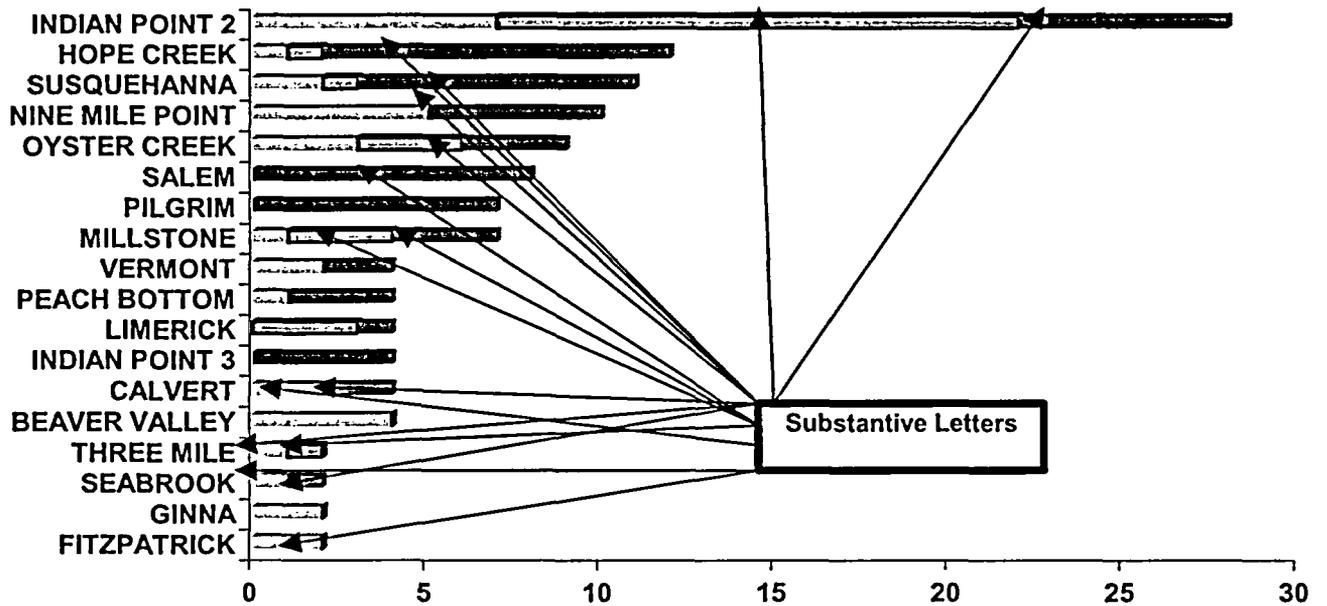
Additionally, there appears to be no clear guidance on how a substantive crosscutting issue is closed by the NRC following action by the licensee. For example, what constitutes whether the licensee has corrected the issue? There is no guidance on how to determine if the issue has been resolved or if it is still recurring. It is recommended that the NRC develop and distribute guidance on closure of a substantive issue.

Industry Crosscutting Trends

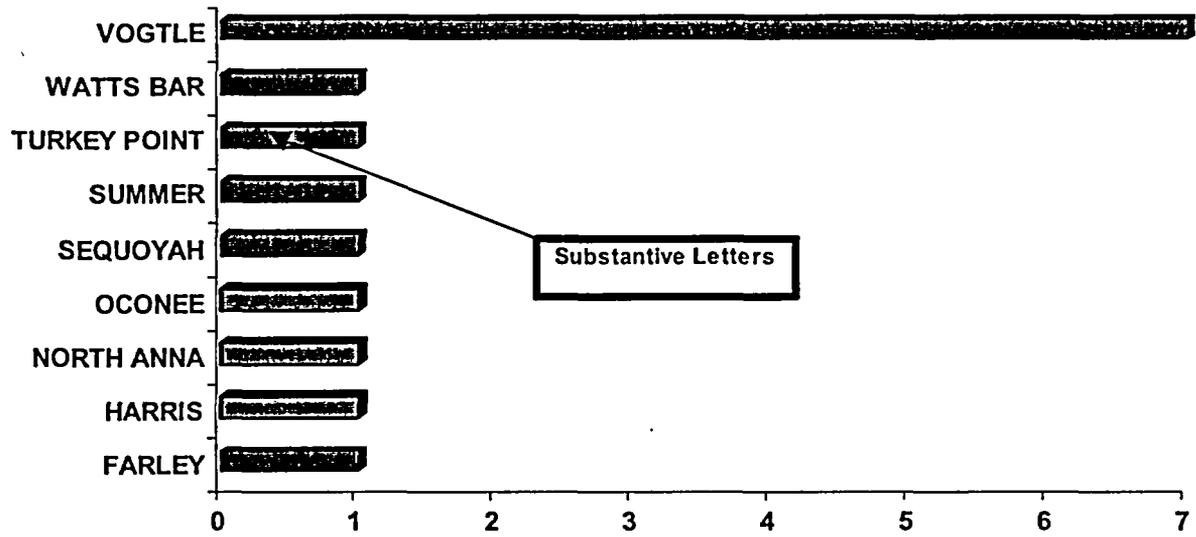
CrossCutting Violations and Findings



CrossCutting Violations and Findings



CrossCutting Violations and Findings



CrossCutting Violations and Findings

