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December 17, 2004

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Solicitation of Comments on the Reactor Oversight Process  
(69 Federal Register 63411, November 1, 2004)

Nuclear Management Company (NMC), LLC\* appreciates the opportunity to comment on the implementation of the Reactor Oversight Process (ROP).

The ROP constitutes a significant improvement over the previous enforcement paradigm. NMC shares the views expressed by the Nuclear Energy Institute (NEI) in their comments dated December 16, 2004. In particular, the frequency of baseline Radiation Protection inspections does not represent an efficient allocation of NRC resources given the industry's performance in this area. NMC is also concerned by the level of effort expended by the NRC staff on characterizing issues that have low safety significance.

In addition to NEI's comments, NMC believes that the definition of licensee-identified findings per Manual Chapter 0612, Power Reactor Inspection Reports, should be broadened to encompass and credit self-reported deficiencies in addition to those defined in the Manual Chapter. For example, a design discrepancy discovered by a training instructor as a result of following up on a question raised by a student should be credited as licensee-identified. Currently, this is precluded because the issue was not discovered through a process specifically intended to identify the problem.

Edward J. Weinkam  
Director, Regulatory Services  
Nuclear Management Company, LLC

\* NMC is the licensed operator of the Duane Arnold Energy Center, Kewaunee Nuclear Power Plant, Monticello Nuclear Generating Plant, Palisades Nuclear Plant, Point Beach Nuclear Plant Units 1 and 2, and Prairie Island Nuclear Generating Plant Units 1 and 2.