

*p. release*

MEMORANDUM TO: Patricia G. Norry  
Deputy Executive Director for Management Services

FROM: J.E. Dyer, Director  
Office of Nuclear Reactor Regulation

SUBJECT: COMMUNICATION PLAN FOR MANUAL OPERATOR ACTIONS

Attached is a plan that describes the methods and tools for communicating with internal and external stakeholders about manual operator actions. The plan will guide our communication efforts as we proceed with manual operating action rulemaking.

This plan will facilitate communication within the agency to provide timely, consistent, and understandable information to our external stakeholders. It identifies opportunities for meaningful involvement that will enhance the public's understanding of our safety and regulatory activities.

Attachment: Communication Plan

Distribution:

NRR Template - 106

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## COMMUNICATION PLAN FOR OPERATOR MANUAL ACTIONS

### INTRODUCTION

This plan describes the methods and tools that the Office of Nuclear Reactor Regulation (NRR) will use for communicating its position on manual operator actions with internal and external stakeholders. This plan will facilitate communications within the agency and provide timely, consistent, and understandable information to external stakeholders.

### GOALS

#### Internal Stakeholders

The goal of this plan is to increase the effectiveness of communication and coordination within the Nuclear Regulatory Commission (NRC) and to increase the consistency and quality of external communication regarding activities associated with operator manual actions.

#### External Stakeholders

The goal of this plan is to enhance the public's understanding of NRC's safety and regulatory activities related to manual operator actions.

### BACKGROUND

During inspections, regional inspectors have identified that licensees have removed fire barrier material (or provided less than the required separation distance between redundant safety trains) used to satisfy the III.G.2 criteria and have compensated with use of operator manual actions in lieu of the required barrier or separation. Inspectors had identified these issues as Unresolved Items for discussion with NRR staff. The staff addressed this issue in training for the inspectors conducted on November 14, 2001. NEI was provided a copy of the training material when they made a request in late November 2001.

The staff determined that a change to 10 CFR Part 50, Appendix R, was required for a licensee to accomplish feasible operator manual actions in lieu of the fire barrier or separation requirements stated in Section III.G.2. The staff developed a rulemaking plan and presented the plan to the Executive Team (ET) on August 21, 2002 which would revise 10 CFR Part 50, Appendix R, Section III.G.2 to allow feasible operator manual actions.

### AUDIENCE

#### Internal Stakeholders

- The Commission
- Office of the Executive Director for Operations
- NRR
  - Executive Team (ET) and Leadership Team (LT)
  - Division of Licensing Project Management (DLPM) Project Managers
  - Division of Inspection Program Management

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- Division of Regulatory Improvement Programs (DRIP)
- Division of Systems Safety and Analysis (DSSA)
- RES
- Advisory Committee on Reactor Safeguards (ACRS)
- Committee to Review Generic Requirements (CRGR)
- Office of Congressional Affairs (OCA)
- Office of Public Affairs (OPA)
- Office of the General Counsel (OGC)
- Regions I, II, III, and IV

#### External Stakeholders

- Members of the Public (Paul Gunter)
- Congress (Edward J. Markey and John D. Dingell)
- Media (e.g., Inside NRC)
- Public Interest Groups (e.g., Union of Concerned Scientists)
- Nuclear Industry Organizations (e.g., Nuclear Energy Institute)
- Licensees Of Operating Nuclear Power Plants

#### **OPERATOR MANUAL ACTIONS KEY MESSAGES**

- The NRC's mission is to protect the public health and safety and the environment. The fire protection regulations ensure that each plant maintains the ability to achieve safe shutdown after a fire. Operator manual actions have been recognized in certain cases by the NRC as acceptable means of providing safe shutdown of a plant.
- Recent NRC inspections revealed that there are licensees who rely on operator manual actions that have not been reviewed and approved by the NRC. The NRC considers these licensees to be not in compliance with the regulations.
- When NRC inspectors have reviewed unapproved operator manual actions, the inspectors have emphasized maintaining public health and safety. When inspectors have discovered unapproved operator manual actions that may not be feasible, those actions have been subjected to the Reactor Oversight Process to determine any safety impact. If a safety impact is found, the licensee must institute corrective actions.
- The new rule will subject licensees with unapproved operator manual actions to new requirements to demonstrate the acceptability of those and any future proposed actions. If operator manual actions are not acceptable based on these new requirements, then the NRC will conduct an analysis through the Reactor Oversight Process to determine the risk-significance of the finding and determine if a violation is warranted.

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## COMMUNICATION TEAM

The primary responsibility of the communication team is to ensure that a consistent, accurate, and timely message is conveyed to all stakeholders. The team consists of the following project management, technical, policy, and communication staff:

TEAM MEMBER	POSITION	ORGANIZATION	PHONE
Sunil Weerakkody	Technical Staff/Section Chief	NRR/DSSA	301-415-2870
Eva Brown	Team Leader/Project Manager	NRR/DLPM	301-415-2315
Phil Qualls	Technical Staff Lead	NRR/DSSA	301-415-1849
Ray Gulluci	Technical Staff	NRR/DSSA	301-415-
Dick Dudley	Policy/Rulemaking Lead	NRR/DRIP	301-415-1116
Tanya Mensah	Communication Staff	NRR/PMAS	301-415-3610
Scott Burnell or Bob Jasinki	Communication Staff	OPA	301-415-8200
Laura Gerke	Office of Congressional Affairs	OCA	301-415-1692
Jason Dreisbach	Technical Staff/Website	NRR/DSSA	301-415-1076

## COMMUNICATION TOOLS

The following tools will be used to communicate with stakeholders:

### Agencywide Documents Access and Management System (ADAMS)

Meeting notices and meeting summaries will be placed in ADAMS and will be publicly available through ADAMS from the NRC's external Web site. Technical and regulatory documents that may improve stakeholders understanding will be placed in ADAMS.

### Internal Briefings

Internal briefings will be conducted at various points in the process to keep internal stakeholders (primarily management, regional staff, and advisory committees) informed of the staff's activities and messages. Key messages will be repeated throughout the briefing. The timeline of communication activities below includes known points of interaction with internal stakeholders.

### Web Page

A public manual operator actions web page will be updated and maintained to distribute information to the public that may increase their understanding of this issue and the NRC activities to resolve manual operator actions through rulemaking. To ensure that this page is visible, we worked with NRRWebServices to ensure that the redesigned web page will be easier to locate by the public.(Add the URL for the web page) The web page is located at <http://www.nrc.gov>.....

### Correspondence Repository

The NRC staff will develop a database for tracking external correspondence with external stakeholders that have expressed an interest or concern (with) manual operator actions. The goal is to ensure that the NRC consistently responds to similar questions. This tool can also be used to identify stakeholders that may be interested in upcoming public meeting(s) concerning

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manual operator actions.

#### EDO Daily Notes

After public meetings with industry or the public on manual operator actions, the communication team will submit a few sentences on the meeting outcome to the DSSA Technical Assistant by noon of the business day after the meeting. The DSSA TA will forward this information to the ADPT Technical Assistant by 1 p.m. This will raise awareness of the meeting outcome at the EDO and Commission level.

Office Newsletters: To raise staff awareness on the progress of resolving manual operator actions, the team will consider the use of Division Newsletters and the Have I Got News For You when appropriate. This will enable us to keep the NRR staff and management and Regional Management abreast of new challenges, progress made, and any teams formed to resolve this issue.

Weekly Highlights: The staff will report the weekly status of the Manual Operator Actions in Weekly Highlights. This will be used to communicate any changes or significant plans with respect to the issue at the EDO and Commission level.

Significant Topic Report: The staff will report the monthly status of the Manual Operator Actions in the Significant Topics Report. This will be used to communicate any changes or significant plans to the issue at the NRR Office Director and ET/LT level.

#### Expanded NRR Executive Team Meetings:

Each Thursday, the Executive Team/Leadership Team are briefed on a significant topic. The purpose of these briefings are to inform the ET and to discuss challenges, future plans, and resolution of issues. The staff will schedule a briefing to inform the ET/LT on the status of this issue. The region can tie into the meeting by conference call.

#### Public Meetings

Public meetings will be held to discuss status. Key messages will be repeated throughout the meeting. Also, public meeting will be held to discuss recommendations that the industry or other external stakeholder have concerning the resolution of manual operator actions.

#### Press Releases and Media Interviews

As necessary, the communication team will coordinate with the OPA to issue press releases; media interviews, and meetings with publications editorial. Press releases will be issued as needed.

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ACTIVITIES FOR INTERNAL STAKEHOLDERS	DATE
The staff presented the rulemaking plan to the Executive Team (ET) which would revise 10 CFR Part 50, Appendix R, Section III.G.2 to allow feasible operator manual actions.	August 21, 2002
Issued a revised fire protection inspection procedure (IP) 71111.05	March 06, 2003 (completed)
Received Letter From John Dingell and Edward Markey (Staff Response Due by: )	March 3, 2004
Commissioner Merrifield briefing	March 24, 2004
Chairman Briefing On Fire Protection	April 12, 2004
Update Manual Operator Actions Web Page	DATE
Announce Updated Web Site URL in NRR Office Newsletters/correspondence/	DATE
Prepare Writeup for EDO Daily Notes or Weekly Highlights To Communicate Status	Routine (As needed)
Plan Pre-Meetings Prior To Public Meetings to Discuss Key Messages/ Q&A's w/ Division Directors & Appropriate Staff	As needed
After each public meeting, Report Meeting Status To DSSA TA For Inclusion into EDO Daily Updates	By Noon The Day After the Public Meeting
Schedule Briefing At Thursday Expanded ET/LT Meeting to Discuss Resolution of manual operator actions	DATE
Include Status of Manual Operator Actions In The Monthly Significant Topics Report - Contact: David Diec	Monthly
[new activities need to be added]	

ACTIVITIES FOR EXTERNAL STAKEHOLDERS	DATE
Issued a revised fire protection inspection procedure (IP) 71111.05	March 06, 2003 (completed)
Staff rulemaking plan made available to the public and subsequently approved plan through SRM dated September 12, 2003 (ADAMS ML032550222; WITS #200300194)	July 2, 2003 (completed)
The staff published the notice of opportunity for public comment on its draft criteria for determining the effectiveness of operator manual actions to achieve post-fire safe shutdown (68FRN-66501), with a 30-day comment period. Subsequently, the staff granted an additional 30 days extension of opportunity for public comment based on a large number of requests from stakeholders. The notice granting the extension was published in the Federal Register Notice on December 15, 2003 (68FRN-69730), with comment period ending by January 26, 2004.	November 26, 2003 (completed)
Update Manual Operator Actions Web Page	DATE
Cat. 3 Public Meetings???	DATE
In responses to the public, include new web page URL	DATE

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Monitor press releases / reports to gauge public/industry reaction to GL	DATE
Continue to update web page as needed to address factual inaccuracies w/ regard to manual operator actions	Ongoing

## EVALUATION OF SUCCESS

The staff will evaluate the effectiveness of the communication plan on a periodic basis to ensure the goals of the plan are achieved. The following describes how the staff will measure its success in communicating through formal and informal feedback from internal and external stakeholders.

### Internal Stakeholders

Success in communicating our messages among internal stakeholders will be measured by our ability to increase the effectiveness of communication and coordination within the NRC. By keeping all levels of staff and management informed through informal (i.e., casual discussions, emails) and formal interactions (i.e., memos, planned briefings or meetings), we enhance our ability to deliver a consistent message regarding activities associated with manual operator actions.

### External Stakeholders

Success in communicating our messages among our external stakeholders will be measured by our ability to raise awareness of the key message on the importance of the NRC's safety mission as it relates to operator manual actions. Our ability to consistently reinforce the key messages through our communication tools will contribute to our ability to maintain a consistent and reliable message. This will increase our ability to effectively communicate with our external stakeholders.

*In addition, the staff will monitor media reports to determine whether it is successful in conveying information consistently and accurately (i.e., assessing news articles to ensure key messages are accurately reflected). However, the staff will be careful to avoid the perception of news management.*

Finally, the staff will review the public meeting feedback forms received from public meetings, to determine the public's perception on our meetings. Comments received will be used as feedback to improve future public meetings and correspondence available to the public on manual operator actions.

The staff will make appropriate modifications to its future and ongoing communication strategy based on these assessments.

## FINDINGS

When the communication plan is completed, the communication team will survey stakeholders (e.g., NRR and Regional staff, NEI, licensees) as to their impressions of what communication strategies worked well and what could be improved. The communication team will document the findings in a memorandum.

## **Operator Manual Actions Q&A (Draft- March 8, 2004)**

### **1. Why is the NRC revising the rule to allow operator manual actions in lieu of fire barrier separation without an NRC-approved exemption?**

The NRC is revising the rule to allow an additional option for protecting the redundant equipment necessary for shutting down a nuclear power plant. To separate the redundant equipment, the current rule allows licensees to use a 3-hour rated fire barrier,; physical separation with no intervening combustibles, plus automatic fire detection and suppression,; or a 1-hour rated fire barrier enclosure plus automatic fire detection and suppression. In the past, the NRC has approved licensee requests, on a plant-specific basis, to use operator manual actions instead of those three options. As such, the NRC has recognized that operator manual actions, subject to certain criteria, can be included as a fourth option for protecting redundant equipment for shutting down the plant.

### **2. Is the NRC changing the rule to accommodate licensees who don't want to meet the current regulations?**

Even under the new rule, the licensees will still have to meet one of the current three compliance options unless their credited operator manual actions meet all the acceptance criteria. Licensees have always had the option to use operator manual actions for compliance under the existing rule through the exemption process, and some correctly followed that route. NRC's review of unapproved operator manual actions indicates that most would have been acceptable alternatives to the three compliance options had they been processed as exemptions. Therefore, NRC is changing the rule to reducing the burden on both itself and the licensees of the need to process a potentially large number of exemptions that would routinely be approved. Exemptions will still be necessary if all the conditions of the new rule are not satisfied. The NRC has previously approved licensee requests to use operator manual actions based on a set of criteria developed for the inspection process and the NRC is changing the rule to codify this as an acceptable approach to shutting down a plant safely.

### **3. What are operator manual actions?**

Operator manual actions are those actions taken by operators to perform manipulation of components and equipment from outside the main control room (MCR) to achieve and maintain post-fire safe shutdown. These actions are performed locally by operators, typically at the equipment.

### **4. Instead of changing the rule, can the NRC issue a violation to the licensee for not being in compliance with the regulation?**

Under the current rule, all unapproved manual operator manual actions would be considered a violation for plants that were licensed before 01/01/1979. Plants licensed after 01/01/1979 would need to be assessed on a case-by-case basis. The safety benefit of forcing licensees to comply with the regulation is not significant when compared to the costs in staff time and resources required for enforcement. Since the NRC has previously approved certain operator manual actions at some plants, there is reason to believe that most licensees would seek similar approval, further stressing the resources of both the licensee and the NRC and diverting attention away from potentially more safety-significant issues.

### **5. How long have plants been implementing operator manual actions, which are unapproved by the NRC? In addition, if resident inspectors are in the plant every day,**

**why didn't the NRC know about it sooner?**

The NRC has been aware of plants implementing unapproved operator manual actions for about 3 years. The NRC believes that use of unapproved operator manual actions became prevalent with licensees' resolution of the Thermo-Lag issue from the early 1990s. The NRC became aware of the manual operator manual action issue as a result of more recent inspections focused specifically on a plant's ability to safely shutdown. These types of inspections are not routinely performed by resident inspectors.

**6. What is the NRC doing now about plants who have implemented non-NRC approved operator manual actions in certain fire areas?**

Plants are reviewed triennially for compliance with fire protection regulations, such that the entire fleet is covered every three years. This includes the All plants that use of unapproved operator manual actions have been reviewed for safety, and the operator manual actions have been inspected against a set of criteria, established in March 2003 and based on inspection experience to determine their acceptability. If an unapproved operator manual action met the criteria and was deemed acceptable, the licensee has been required to formally specify an approach to address correct the non-compliance through its corrective action program. If the operator manual action did not meet the criteria and was deemed unacceptable, the finding has been entered into the Reactor Oversight Process to estimate its risk-significance and the licensee has been cited for a violation (in some cases we use an NCV) and the NRC is conducting an analysis to determine if a the risk-significance of the violation is warranted.

**7. Has the NRC approved operator manual actions at nuclear power plants in the past?**

Yes. In the past the NRC has approved the use of operator manual actions on a case-by-case basis at a licensee's formal request through the exemption/deviation process.

**8. During the process of rulemaking, if the NRC determines that certain operator manual actions are not acceptable, will the agency pursue enforcement action against the plant?**

The NRC has released for public comment a draft version of interim acceptance criteria for operator manual actions. The licensees will be required to review aAll unapproved operator manual actions, including any previously deemed acceptable, will again be reviewed against this new set of criteria to determine if these actions satisfy the enhanced acceptance criteria. Those that do not will either have to be revised, or else the licensee must submit an exemption or revert to one of the barrier/separation options for compliance. During the NRC inspection process, if any operator manual actions that remain credited are deemed unnot acceptable based on this new criteria, then the NRC will determine risk-significance, and any possible violation, through the Reactor Oversight Process issue a violation and conduct an analysis to determine the risk-significance of the violation.

**9. If a plant is implementing currently unapproved operator manual actions, how can the NRC be certain that there is no danger to the public or to the environment?**

The NRC's main goal is safety, and the need to protect tThe public andor environment have remained paramount even in light of the licensees' use ofhas never been in danger due to unapproved operator manual actions. The NRC's main goal is safety The NRCIt achieves this goal partly by the use of the defense-in-depth methods. Defense-in-depth is required in the regulations and implemented in the case of fire with 1) physical containment; 2) detection and suppression; and 3) redundant equipment. Operator manual actions do not affect the plants'