

From: James Taylor / NSIR
To: Renee Pedersen / OE
Date: 6/29/05 7:22AM
Subject: Comments on DPO report

Renee,

My comments are attached.

Jim

The submitter recognizes and appreciates the extraordinary effort that was required of the Panel to collect, analyze, and document the information contained within the final report. The submitter also recognizes that the majority of the Panel members were not experienced in force-on-force exercise programs however, it became clearly evident that they were able to effectively compensate for their lack of experience by their capable data collection techniques that enabled them to gather the necessary and pertinent data.

The submitter has reviewed the documents noted below and as requested has limited comments to factual accuracy and completeness as they relate to the specific DPO concerns. The submitter did take the liberty to throw in a couple of typo comments.

Thanks for the effort.

Introductory Letter

Page 3 (paragraph that continues from page 2)

The sentence currently reads as follows:

“The focus of assessment should not be on win/lose. Win/lose is important to the assessment but the focus should be on why the licensee won or lost with emphasis on performance-based criteria.”

To more appropriately reflect the submitter’s view the sentence should read as follows:

“The focus of assessment should not be on win/lose but on why the licensee won or lost with emphasis on performance-based criteria.”

Page 3 (third paragraph under Review Process)

The narrative states in part: “As noted in the report, in the Panel’s view, the submitter’s concerns were not well-communicated up the NSIR management chain prior to the submittal of the DPO. Although opportunities existed, a thorough vetting of the submitter’s concerns did not take place to ensure that they were fully considered and dispositioned by NSIR management.” In the view of the submitter this statement provides the reader with the sense that the submitter did not adequately communicate the DPO concern. The submitter believes that this is an incorrect assumption and that a subsequent statement within the body of the report depicts the situation more accurately. The language in the DPO Panel’s Final Report on page 24 repeats this statement, however, the statement is followed by: The panel recognized that the timing of the concerns raised by the submitter was challenging because the organization was focused on the implementation schedule for the revised FOF exercise schedule program (November 2004). Many activities were taking place the spring and summer of 2004 to update procedures and provide training to security inspection staff. Nevertheless, opportunities existed to more fully address the submitter’s concerns.

The above is only a general comment but if there is a better way to present this information in the introductory letter it would be appreciated.

Page 5, 1st full paragraph, 1st sentence

Do not understand the fourth word.

DPO Panel's Final Report

Page 5, only statement that is indented twice (two tabs), following the two sentence paragraph starting with: "In the formal DPO..." The last two sentences state:

"The focus of assessment should not be on win/lose. Win/lose is important to the assessment but the focus should be on why the licensee won or lost with emphasis on performance-based criteria."

To more appropriately reflect the submitter's view the sentence should read as follows:

"The focus of assessment should not be on win/lose but on why the licensee won or lost with emphasis on performance-based criteria."

Page 9, III.2.a. Objectives of the FOF program
(1st paragraph)

"In evaluating the merits of the submitter's concerns, the Panel sought to determine if the objective of the NRC's FOF Program was to assess licensee performance or improve protective force capabilities. The Panel considered this distinction important because of the submitter's proposal to focus on and evaluate performance attributes would appear to be more effective in improving performance than the win/lose paradigm. However, if the role of the FOF Program was to simply evaluate performance, then performance feedback at this level might not add sufficient value for the assumed additional cost in evaluator resources, training and certification."

- It is important to note that the submitter's DPO never drew a distinction between assessing licensee performance and improving protective force capabilities. The DPO was always aimed at enhancing the evaluation process knowing full well that results derived from these criteria would inherently provide the potential for improving protective force capabilities.
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Page 10, III.2.b. Inconsistency Expressed Role of NRC in FOF Exercises

The submitter understands the statement; "the [inspection] team, including NRC contractors, will not play an active role in any exercise" to mean these individuals will not be active participants during the exercises. None of the NRC inspection team members participate in the exercises other than in the role of evaluators. However, they are expected to assist in the planning and development of the scenarios.

Page 11, 1st full paragraph, 1st sentence:

Should read "...Adversary force..." not "adverse any force"

Page 11, 1st full paragraph, Last sentence:

The second "not" in sentence should be deleted.

Page 11, III.2.c. Inconsistency with Reactor Oversight Process (ROP)
(Second paragraph, first sentence)

"...Cornerstone od the Reactor..." The "od" should be deleted.

Page 15, III.3.b. Training and Certification of Evaluators
(Second sentence)

Could not make sense of the sentence.

Page 16, IV Planned Changes/Improvements to the Current Approach
(1st full paragraph is repeated in its entirety within the 3rd paragraph)

Page 23, 2nd paragraph, 1st sentence under VI Timing of DPO Submittal

Years experience in the nuclear security field should note over 27 years not the 15 currently noted.