



South Texas Project Electric Generating Station P.O. Box 289 Wadsworth, Texas 77483

10/10/06

71 FR 59539

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November 16, 2006
NOC-AE-06002078
FRN: 71 Fed. Reg. 59539

2006 NOV 27 AM 10:01

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U.S. Nuclear Regulatory Commission
Attention: Mr. Michael T. Lesar
Chief, Rules and Directives Branch, Office of Administration
Mail Stop T-6D59
Washington, D.C. 20555-0001

SUBJECT: Solicitation of Public Comments on the Implementation of the Reactor Oversight Process

REFERENCE: *Federal Register* Vol. 71, No. 195, Pages 59539 – 59540, dated October 10, 2006.

Dear Mr. Lesar,

Attached please find the STP Nuclear Operating Company response to the “Solicitation of Public Comments on the Implementation of the Reactor Oversight Process” as published in the Federal Register on October 10, 2006.

If there are any questions regarding these comments, please contact W. E. Mookhoek at (361) 972-7274 or me at (361) 972-7454.

Charles T. Bowman
General Manager, Oversight

wem/

Attachment: 2006 Survey Form on Reactor Oversight Process

E-RIDS = ADM-03

SONSE Review Complete

Template = ADM-013

Add =
Bart Fu (rbf)

STI: 32083855

2006 Survey Form on Reactor Oversight Process

Contact Information:

Participant Name:	Willem E Mookhoek
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Shade in the circle that most applies to your experiences:

If there are experiences that are rated as unsatisfactory, or if you have specific thoughts or concerns, please elaborate in the "Comments" section that follows the question and offer your opinion for possible improvements. If there are experiences or opinions that you would like to express that cannot be directly captured by the questions, document that in the last question of the survey.

Questions related to specific Reactor Oversight (ROP) program areas

(As appropriate, please provide specific examples and suggestions for improvement.)

(1) The Performance Indicator Program provides useful insights to help ensure plant safety.

Strongly Agree Agree Neutral Disagree Strongly Disagree

Comments:

The performance indicators have developed into performance standards that the industry strives to meet. Since the performance indicators are based on NRC defined acceptable limits they reinforce industry and licensee safety performance.

(2) Appropriate overlap exists between the Performance Indicator Program and the Inspection Program.

Strongly Agree Agree Neutral Disagree Strongly Disagree

Comments:

Performance Indicators look at the areas where clear performance thresholds can be developed. This allows the inspection program to spend more time looking at those areas that require evaluation and investigation. The process is well integrated and, while overlap exists, the overlap seems appropriate.

- (3) NEI 9902, "Regulatory Assessment Performance Indicator Guideline" provides clear guidance regarding Performance Indicators.

Strongly Agree Agree Neutral Disagree Strongly Disagree

Comments:

While questions on the guidance do arise, the FAQ process is very responsive to those questions and the guidance is enhanced periodically based on the FAQs to improve the guidance in a ongoing process.

- (4) The Performance Indicator Program, including the Mitigating Systems Performance Index, can effectively identify performance outliers based on risk informed, objective, and predictable indicators.

Strongly Agree Agree Neutral Disagree Strongly Disagree

Comments:

The MSPI is the first risk-based indicator and does identify conditions based on risk implications. While the other indicators have some limited risk insights they do not all identify conditions that are risk significant. The industry and NRC staff should endeavor to develop more risk based indicators.

- (5) The Inspection Program adequately covers areas important to safety, and is effective in identifying and ensuring the prompt correction of any performance deficiencies.

Strongly Agree Agree Neutral Disagree Strongly Disagree

Comments:

The inspection program does adequately cover areas important to safety and does identify the issues that require prompt correction. However the process also identifies performance deficiencies that do not require prompt correction since they are not risk significant, and the inspectors are identifying and documenting issues that are not risk significant. The NRC should be watchful about regulating excellence instead of compliance.

(6) The information contained in inspection reports is relevant, useful, and written in plain English.

Strongly Agree Agree Neutral Disagree Strongly Disagree

Comments:

(7) The Significance Determination Process yields an appropriate and consistent regulatory response across all ROP cornerstones.

Strongly Agree Agree Neutral Disagree Strongly Disagree

Comments:

There are too many SDPs that are not based on risk or actual effect thresholds. The Radiation Protection, Security, and Emergency Preparedness SDPs are very subjective and deterministic. They do not reach consistent results and are very dependent on subjective views of the individual exercising the SDP, especially in the case of the security SDP. The Industry and NRC staff should attempt to develop risk based platforms to perform these evaluations that are founded on actual data and limit the subjectiveness in the process.

(8) The NRC takes appropriate actions to address performance issues for those plants outside of the Licensee Response Column of the Action Matrix.

Strongly Agree Agree Neutral Disagree Strongly Disagree

Comments:

The NRC action in accordance with the Action Matrix is clear and consistent.

(9) The information contained in assessment reports is relevant, useful, and written in plain English.

Strongly Agree Agree Neutral Disagree Strongly Disagree

Comments:

The recent work by the NRC staff to clarify the exit process for a Substantive Cross Cutting Issue was very effective.

Questions related to the efficacy of the overall ROP. (As appropriate, please provide specific examples and suggestions for improvement.)

(10) The ROP oversight activities are predictable (i.e., controlled by the process) and reasonably objective (i.e., based on supported facts, rather than relying on subjective judgment).

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments:

(11) The ROP is risk-informed, in that the NRC's actions and outcomes are appropriately graduated on the basis of increased significance.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:

While true for the Initiating Events, Mitigating Systems, and Barrier Integrity cornerstones, it is not true for the other cornerstones since the outcomes are not risk informed. The outcomes of issues in these other cornerstone areas are more subjective and less risk informed as a result.

(12) The ROP is understandable and the processes, procedures and products are clear and written in plain English.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments:

(13) The ROP provides adequate regulatory assurance, when combined with other NRC regulatory processes, that plants are being operated and maintained safely.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments:

While some actions taken by the NRC staff and licensees are not necessary to assure safety, those actions that are necessary are assuredly addressed by the regulatory process.

(14) The ROP safety culture enhancements help identify licensee safety culture weaknesses and focus licensee and NRC attention appropriately.

Strongly Agree Agree Neutral Disagree Strongly Disagree

Comments:

It is too early to determine this, but the NRC staff and licensee staff are spending a large amount of time in this effort. Under the current safety culture program direction the NRC staff identifies isolated, specific performance deficiencies and "bins" these to develop performance trends. The current program does not consider and evaluate all the licensee actions or lack of actions in response to the overall event. Ignoring the overall picture in favor of a small part of the issue is not representative of actual plant safety culture and can give skewed and erroneous conclusions.

The cross-cutting aspects in MC 305 are somewhat ambiguous. Certain aspects are too broad to identify generic trends such as "Work Practices - procedure compliance (4b)" and "PI&R – problem evaluation (1.c)."

(15) The ROP is effective, efficient, realistic, and timely.

Strongly Agree Agree Neutral Disagree Strongly Disagree

Comments:

(16) The ROP ensures openness in the regulatory process.

Strongly Agree Agree Neutral Disagree Strongly Disagree

Comments:

The ROP process with its many public meeting and opportunities for involvement insures openness not available in the previous process.

(17) The public has been afforded adequate opportunity to participate in the ROP and to provide inputs and comments.

Strongly Agree Agree Neutral Disagree Strongly Disagree

Comments:

Members of the public and media are frequently present at the monthly ROP meeting.

(18) The NRC has been responsive to public inputs and comments on the ROP.

Strongly Agree Agree Neutral Disagree Strongly Disagree

Comments:

The safety culture public meetings are a good example of this. The outside stakeholders played a large part in developing the safety culture initiative process guidance.

(19) The NRC has implemented the ROP as defined by program documents.

Strongly Agree Agree Neutral Disagree Strongly Disagree

Comments:

The NRC staff is diligent in following ROP Program documents.

(20) The ROP minimizes unintended consequences.

Strongly Agree Agree Neutral Disagree Strongly Disagree

Comments:

For the most part this is true, but the policy on press releases does cause unintended consequences since follow-up press releases for special inspections and SDP results are not routinely made. This policy can cause an incomplete, and at times an incorrect, public perception of issues.

(21) You would support a change in frequency of the ROP external survey from annually to every other year, consistent with the internal survey, as proposed in SECY-06-0074.

Strongly Agree Agree Neutral Disagree Strongly Disagree

Comments:

The input on a yearly basis keeps stakeholders involved. Allowing issues to go for two years without collecting concerns would hamper the process for improving the ROP.

(22) Please provide any additional information or comments related to the Reactor Oversight Process.

Comments:

The NRC staff and external stakeholders should develop a multi-year project plan to review the ROP. This review should look at all areas and seek areas for improvement in resource utilization. Some specific areas to review should be:

- An effectiveness review of the Component Design Basis Inspection.
- A review of overall inspection hour utilization. An effectiveness review of each inspection area should be considered.
- A review of the deterministically based SDPs to make them more risk informed.
- A review of current Performance Indicators for effectiveness and possible improvement or elimination.
- A review of crediting self assessments and external assessments instead of performing direct inspection.

A new ROP process should be developed to address new plant construction.

Discussions need to be held and a process developed on how a licensee and the NRC staff will interact when that licensee has both an operating plant and plants under licensing/construction at the same site.