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ROP

STARS Integrated Regulatory Affairs Group P.O. Box 411, Burlington, Kansas 66839

D. Hooper, Acting Chairman

STARS-06021

December 12, 2006

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

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STRATEGIC TEAMING AND RESOURCE SHARING (STARS) COMMENTS on the IMPLEMENTATION of the REACTOR **OVERSIGHT PROCESS**

(71 FR 59539)

Dear Mr. Lesar,

Attached are comments from the Strategic Teaming and Resource Sharing (STARS)¹ nuclear power plants on the implementation of the Reactor Oversight Process (ROP). The STARS plants appreciate this opportunity to provide comments on the ROP. The STARS plants have been working with NEI and RUG IV in the development of industry comments. STARS endorses the comments submitted by NEI and RUG IV.

Since implementation in April 2000, the ROP has exhibited marked improvement over the former inspection and enforcement process. The continued improvement by way of the routine ROP public meetings and the periodic solicitation of public feedback has assisted the ROP in effectively meeting the intended objectives, i.e., to provide tools for inspecting and assessing licensee performance in a manner that was more riskinformed, objective, predictable, and understandable than the previous oversight processes and provides for regulatory actions that are open, effective, efficient, realistic, and timely.

¹ STARS is an alliance of six plants (eleven nuclear units) operated by TXU Power, AmerenUE, Wolf Creek Nuclear Operating Corporation, Pacific Gas and Electric Company, STP Nuclear Operating Company and Arizona Public Service Company. E-RIDS=ADU-03

SUNST REVIEW (Lo

mplate= ADM-013

Comanche Peak

Callaway

Diablo Canyon

all = B. FU(zbf)

South Texas Project

Wolf Creek

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Reassessment of performance indicators and adopting more effective indicators (e.g., Mitigating Systems Performance Index and Unplanned Scrams with Complications) is applauded. STARS supports and looks forward to assisting in the continuing efforts to further develop and improve the ROP. Attached please find the STARS 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.

The STARS plants appreciate the opportunity to comment on the implementation of the reactor oversight process. If there are any questions regarding these comments, please contact me at (364) 620-4041/ dihooper@wcnoc.com or M. A. Reidmeyer at (573) 676-4306/ mareidmeyer@cal.ameren.com.

Sincerely,

Dianem. Hooper

D. Hooper, Acting Chairman Integrated Regulatory Affairs Group STARS

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Attachment: 2006 Survey Form on Reactor Oversight Process

2006 Survey Form on Reactor Oversight Process

Contact Information:

Participant Name:	Mark Reidmeyer
Company:	STARS Regulatory Affairs
Address:	AmerenUE – Callaway Plant
	PO Box 620. Fulton, MO 65251
Email:	mareidmeyer@cal.ameren.com
Phone Number:	573 676 4306

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
	rmance indic		eloped into performa	
indicators	are based o	•	neet. Since the perf acceptable limits, th nce.	

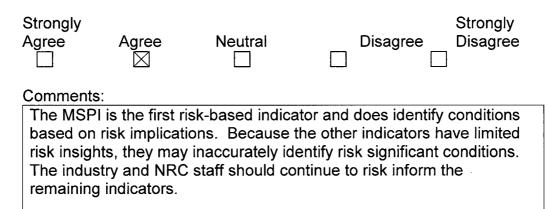
(2) Appropriate overlap exists between the Performance Indicator Program and the Inspection Program.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
thresholds spend mor investigation	ice Indicators can be deve re time lookir	eloped. This all ng at those area cess is well inte	eas where clear per ows the inspection as that require evalu grated and, while o	program to lation and

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

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
Comments	:			
responsive	e to those qu	estions. Period	rise, the FAQ proce ic updates based o ance in an ongoing	on the FAQs

(4) The Performance Indicator Program, including the Mitigating Systems Performance Index, can effectively identify performance outliers based on risk informed, objective, and predictable 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	»:			
are appro use of ge include m safe shut inspection Enhanced	priately addre neric commun anual actions down equipm ns that involve d use of gene	essed. The NR nications for ins s for response to nent, and techni e development o	nsure areas importa C should consider e pection trends. Exa o fires, assessment cal questions identi of new regulatory po ions would also pro	enhancing the amples of post-fire fied during ositions.

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

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Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
experience	r, the reports be with the NF spects associa	RC's Safety Cul	eful and well writter ture initiative, indica ction findings are ap	ites cross

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

Strongly Agree	Agree	Neutral	\boxtimes	Disagree	Strongly Disagree
Comments	:				
thresholds Preparedr produce c subjective especially should str elements,	s. The Radia ness SDPs ar onsistent res views of the in the case of thus limiting	DPs that are not tion Protection, re subjective an ults because of individuals app of the Security S e these SDPs b the subjectivity tions between c	Security d determ the depo olying the SDP. Th oy includi and pro	y, and Emerg ninistic. They endence on t SDP guidan e industry an ing more risk moting more	ency y do not the nce, nd NRC staff -based

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

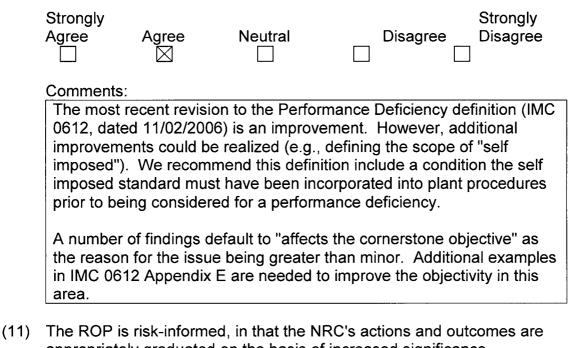
Strongly Agree	Agree	Neutral	Disagr	Strongly ee Disagree
Comments:				
		cordance with th nite findings, but		is clear and r more complex

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

Strongly Agree	Agree ⊠	Neutral	Disa	igree	Strongly Disagree
Comments	5:				
Substanti analysis o could be i cross cutt following regulatory overall as understar performar	ve Cross Cutt of cross cutting improved. The ing aspect to publication of principles the sessments of ndable, objection nce-based), and	NRC staff to cl ing Issue was v g aspect inputs e current asses be changed if a the associated at guided the de licensee perfor ive, predictable ny change in th licensee as wel	very effective to the asses additional insi- inspection re- evelopment of mance rema , risk-informe e assigned a	. The do sment pr nce pern ights are eport. Gi of the RC in transp ed, and ispect sh	ocumented rocess nits the available iven the DP (that parent, nould be

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).



appropriate	ely graduated		icreased significa	nce.
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree

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Comments:

We agree that the Action Matrix is graduated based on increased significance.

While also true for findings in the Initiating Events, Mitigating Systems, and Barrier Integrity cornerstones, it is not true for findings in the other cornerstones since the outcomes are not risk informed. For example, findings in the Radiation Protection cornerstone that should be considered minor are often conservatively treated as Green due to the limited number of applicable examples of minor violations available in IMC 0612, Appendix E.

When an applicable example is not found, the application of the screening questions is not consistent with the principles used in developing the examples.

(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
understan	procedures a dable. The l licensee res	ROP process is	e generally clear and complex and does re ain a working level	

(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	Strongly Disagree Disagree	
Comments:				
None.				

(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:	, ,				
staff and li this effort Continued is required Consistent appreciate forums to	censees are when compai monitoring a I to ensure th t application o the NRC's c	a conclusion. Ea spending an ina red to direct ins and oversight by le intended enha of the cross cut continued suppo erstanding and ments.	appropria pection of NRC m ancemer ting aspe ort of indu	ate amount o of plant activ angement a nts are realiz ects is critica ustry commu	of time in ities. nd licensees ed. I. We do inication

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

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Strongly Agree	Agree	Neutral	Disa	agree	Strongly Disagree
inspections appears to process by number an the level of	are in gene s are consul be a signifi applying m d significan f resource th icity of the (eral agreement. ming substantial cant opportunity fore discipline to ce of the finding ne inspection rec CDBI be reevalue	licensee res to improve maintianing s to date do uires. We s	sources. the efficie the sche not seem suggest th	There ency of this dule. The to support ne scope
		e significantly de nsite, resulting in	•		

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

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree]
Comments	:			
The ROP process, with its many public meetings and opportunities for involvment, ensures openness not available in the previous process.				
Involvmen	it, ensures of	penness not ava	allable in the previous	s 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 ROP mee	of the public	and media are	frequently present a	t the monthly

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

Strongly Agree	Agree	Neutral	Strongly Disagree Disagree	;
Comments	5:			
	· ·	•	e a good example of this. The art in developing the safety	

culture initiative program guidance. We also appreciate the NRC staff's consideration of feedback provided in the 2005 ROP survey.

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

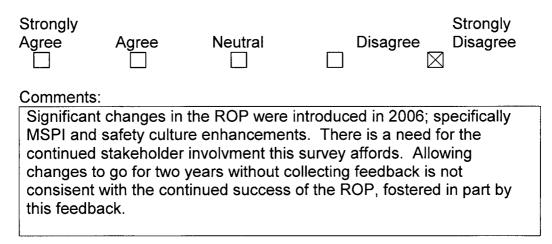
Strongly Agree	Agree	Neutral	Strongly Disagree Disagree
Comments None.	:		

(20) The ROP minimizes unintended consequences.

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Strongly Agree	Agree	Neutral	Disagre	Strongly ee Disagree
issues. li	censee expei mproved disc	ipline in this are	a is needed to r	xpended on minor educe the efforts are not well
		•	idvance of NRC	special

inspections. However, the NRC does not always issue a press release or other followup upon closure of the inspection, informing the public of the results. This has the potential unintended consequence of raising an issue to public attention without resolving the issue in the same public arena. (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.



(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 include:

- 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 consistency between NRC regions should be performed that considers 1) the number of findings, 2) the percent of findings with cross cutting aspects assigned, 3) inspection issues that appear to be confined to one region.
- Consider an improved process for more timely sharing of inspection issues with potential generic interest. Current process tends to develop the communication after several licensees have been inspected. Recent use of the NRC Morning Report is an excellent venue to communicate a potentially emerging issue.
- 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 for crediting self assessments and external assessments as an alternative to performance of direct inspection.

A new oversight process should be developed to address new plant construction, utilizing a similar process for stakeholder involvement that was successfully used for the current ROP.

Discussions need to be held to define the interactions between the various NRC staff organizations and the licensee when the licensee has both an operating plant and plants under licensing/construction at the same site.