

July 23, 2010

David Lochbaum
Director, Nuclear Safety Project
PO Box 15316
Chattanooga, TN 37415

Dear Mr. Lochbaum:

The purpose of this letter is to respond to concerns you raised in a June 11, 2010, letter. Specifically, you raised two overarching concerns: 1) that the Reactor Oversight Process (ROP) may not incorporate findings identified during special inspections in a timely manner (e.g., for special inspections that continue for an extended period of time); and 2) that there does not appear to be a correlation between the number of inspection hours at a facility and its placement in the Action Matrix.

Periodic Review of Special Inspection Activities

The NRC makes extensive efforts to complete reactive inspections in a timely manner. In doing so, all special and augmented team inspections are continually monitored by the staff and discussed with senior management on a monthly basis. The discussions include an assessment of inspection delays and potential resolutions. As your letter noted, in some cases it is appropriate to extend a special inspection to ensure that all safety significant aspects of an event are thoroughly reviewed. In addition, during special inspections, the inspection team and regional management continually assess potential findings and the need for additional agency actions in accordance with the ROP. This was the case during a recent inspection at H. B. Robinson that was elevated from a special inspection to an augmented team inspection due to the initial potential findings. We agree with the importance of timely incorporation of inspection findings into the assessment process, and will continue to focus on ensuring this is achieved.

Inspection Hours per Facility

You correctly pointed out the apparent discrepancies in inspection hours discussed in materials prepared for ROP End-of-Cycle public meetings. Specifically, that the number of hours expended did not always reflect the facilities location on the Action Matrix. These discrepancies were the result of differences in how the inspection hours were presented and not a misapplication of the ROP process.

The NRC tracks inspection hours in two fundamental ways: 1) direct inspection effort, and 2) direct inspection effort plus the effort to prepare for and document the inspection. The materials that you reviewed did not provide the information in a consistent manner. For example, Fermi, Harris, and Palisades provided only the direct inspection effort hours and the remainder of the plants also included preparation and documentation efforts. For example, you noted what appeared to be a very large discrepancy between Fermi (2000 hours) and Hope Creek (5618 hours) in inspection hours for facilities that were both in the licensee response column of the ROP Action Matrix. However, the Hope Creek hours contained in the presentation material included preparation and documentation hours. The actual direct inspection effort was approximately 2400 hours. Slightly higher than Fermi but still appropriate for a plant in the licensee response column of the Action Matrix.

We are currently assessing this issue to determine what changes to the materials for future public meetings are warranted to prevent further confusion.

Thank you for your interest in these matters. We will continue to strive to ensure the ROP process is as transparent as possible and can be clearly understood by stakeholders.

Sincerely,

Frederick D. Brown, Director */RA/*
Division of Inspection and Reactor Support
Office of Nuclear Reactor Regulation

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