

December 29, 2010

MEMORANDUM TO: Frederick D. Brown, Director
Division of Inspection and Regional Support
Office of Nuclear Reactor Regulation

FROM: Rani Franovich, Chief **/RA/**
Performance Assessment Branch
Division of Inspection and Regional Support
Office of Nuclear Reactor Regulation

SUBJECT: GAP ANALYSIS OF THE REACTOR OVERSIGHT PROCESS
(ROP)

Enclosed is a preliminary draft of the Gap Analysis of the Reactor Oversight Process (ROP). As documented in the gap analysis, the staff indentified one area of potential near-term change in the Public Radiation Safety Cornerstone. The draft Gap Analysis recommends changes to, or development of, ROP tools [inspection guidance, significance determination process, performance indicators (PIs), etc.] to address this gap. The gap analysis provides insights into ROP effectiveness that will be considered during the CY 2010 ROP Self-assessment process, and the draft Gap Analysis' recommendation has Commission policy implications that will be further developed in the associated ROP Self-assessment SECY Paper. To ensure that the perspectives of external stakeholders are represented and considered in the self-assessment process, I propose that we interact with external stakeholders at the next ROP monthly meeting to obtain feedback on this gap analysis.

By way of background, the staff furthered its ongoing efforts to improve the ROP PI Program by preparing an NRC staff white paper in November 2009 that documented a comparison of international and US nuclear industry PIs to the current ROP PI program. The purpose of the white paper was to consider the potential applicability of candidate PIs for ROP purposes. The white paper was shared with internal and external stakeholders in an effort to initiate dialogue and solicit insights, feedback, and suggestions on the value and viability of candidate PIs.

On April 21, 2010, the NRC held a category 2 public meeting to discuss a framework for considering new PIs, the staff's evaluation as documented in the white paper, and ideas for new PIs that had not been considered and included in the white paper. The initial approach focused on potential new PIs that would supplement the existing suite of indicators. The NRC and industry subsequently agreed to defer further application of resources to this endeavor until a problem statement could be defined to guide the effort in a focused, efficient manner. As such, the NRC agreed to perform a gap analysis with the goal of revealing potential areas of the ROP that warrant additional oversight through inspection or PIs.

The staff reviewed information from a number of historical and contemporary sources and identified eleven areas in which potential gaps might exist. The staff then evaluated options for filling those gaps and offered one of three possible recommendations for each area: Pursue Now, Defer, or Not Currently Viable. Only one area, under the Public Radiation Safety Cornerstone, resulted in a recommendation to pursue action now to address a perceived gap in ROP oversight activities. Two action matrix deviations at Vermont Yankee and Indian Point, internal feedback, industry initiatives in groundwater monitoring, and the groundwater task force collectively indicate that a gap exists in the ROP's ability to address licensee performance in monitoring and controlling releases to groundwater. The perceived gap relates not to ensuring adequate protection of public health and safety, but rather reflects potential for improving public confidence.

The staff will consider the views of external stakeholders, reflect those views in the Gap Analysis, and finalize the document early in 2011.

CONTACT: Stephen Vaughn, NRR/DIRS/IPAB
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