

Regulatory Impact Summary

Scope and Objectives

On December 20, 1991, the Commission issued a staff requirements memorandum directing the staff of the U.S. Nuclear Regulatory Commission (NRC) to develop a process for obtaining continual feedback from licensees and to report the feedback on the process to the Commission each year. The staff described the continual feedback process in SECY-92-286, "Staff's Progress on Implementing Activities Described in SECY-91-172, 'Regulatory Impact Survey Report—Final,'" dated August 18, 1992.

The feedback process requires regional management to solicit informal feedback from its licensees during routine visits to reactor sites. The managers record this feedback on forms that they forward to the Office of Nuclear Reactor Regulation (NRR) and the Office of Nuclear Security and Incident Response (NSIR). The NRC Regions, NRR, and NSIR then evaluate the concerns identified and take any necessary corrective actions. This process, first implemented in October 1992, has given licensees frequent opportunities to comment on the NRC's regulatory impact.

This enclosure reports on feedback received from licensees during the previous fiscal year. During this period, the staff received and compiled feedback from 105 site visits to 45 reactor sites across all four regions. These visits resulted in 229 distinct comments that fell into two main categories—inspector performance and formal communications with licensees. Of the comments compiled, 93 percent (214/229) were favorable and 7 percent (15/229) were unfavorable. The number of comments increased moderately in 2010, while the distribution of comments and the favorable percentage were similar to previous years. The sections below summarize the feedback received, the staff's evaluation, and the proposed improvement actions.

1. Inspector Performance

Feedback

Almost half of the licensee comments concerned inspector performance. This category covers a wide range of inspector practices but excludes issues specifically involving communication with licensees, which are discussed in the Section 2 below. Nearly all of the comments were complimentary of the NRC's inspection staff, noting the high quality of inspections and the effective and professional working relationship between the NRC staff and its licensees. Most licensees noted that NRC inspections were effective, and the associated inspection reports correctly characterized the licensee's performance. However, a few licensees expressed disagreement with the NRC's conclusion or characterization of specific findings.

Evaluation and Action

The staff concludes that inspectors were professional, maintained effective working relationships, and appropriately characterized licensee performance. Over 97 percent of the comments received this year were favorable. The staff reviewed the negative feedback for trends and found that each concern related to an isolated incident or a difference in professional opinion.

The NRC management continues to emphasize to the staff the importance of professional conduct. Senior NRC managers reinforce these expectations in inspector counterpart meetings, workshops, and training courses, as well as during site visits conducted in accordance with Inspection Manual Chapter 0102, "Oversight and Objectivity of Inspectors and Examiners at Reactor Facilities," dated August 22, 2005. The staff will continue to closely monitor the regulatory impact of inspector performance.

2. Formal Communications with Licensees

Feedback

Almost half of the licensees' comments concerned the effectiveness of communications between the NRC staff and licensees. Almost all comments were favorable with regard to communications with inspectors and regional management. Many licensees said that communications were good or excellent, but a few licensees noted communication concerns with inspection staff.

Evaluation and Action

The staff concludes that communications between the NRC and its licensees are effective. The staff bases this conclusion on the large number of routine interactions between the NRC and its licensees, combined with the many favorable comments and the relatively few negative comments received during the past year. More than 97 percent of the comments received this year regarding NRC communications were favorable, and the few reported communication problems were isolated instances that have been addressed.

The staff is aware of the importance of prompt and clear communication and emphasizes this goal in the policy, guidance, and training provided for inspection program staff. Effective communications will remain a priority and will receive continued monitoring and attention from regional and headquarters management.

3. Other Notable Comments

Feedback

As previously noted, the preponderance of comments was favorable, though some concerns were noted that did not involve inspector performance or formal communications with licensees. For example, a few licensees noted concerns with the potential negative impacts and costs of implementing recent revisions to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 73, "Physical Protection of Plants and Materials," and 10 CFR Part 26, "Fitness for Duty Programs," Subpart I, "Managing Fatigue."

Evaluation and Action

The staff is aware of these concerns, and this specific feedback has been forwarded to the responsible offices for their consideration.