UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

11/29/2011

76FR 73738

3

RECEIVED

12 NOV 29 AM 9:21

SUNSI Review Complete

Template = ADM-013

E-RIDS = ADM-03

Add =

J. Liang (KJL1)

NRC -2011-0270

2011 Reactor Oversight Process External Survey

Thank you for participating in the survey. Your feedback is important to us and will be used in the ROP self-assessment program to evaluate the effectiveness of the ROP. There are 20 items in the survey and places for written comments. We seek constructive feedback to improve the program, and your comments with **specific examples** are welcomed. If you are filling out a hard copy, please use additional sheets for comments if needed.

Because your comments will not be edited to remove any identifying or contact information, the NRC cautions you against including any information in your submission that you do not want to be publicly disclosed.

The survey ends on January 13, 2012.

Instruction: For each of the statements, please indicate if it's **reasonably** true. If you don't have enough knowledge/experience, please select U/A (unable to answer). You need to enable ActiveX control to fill the survey.

1. The performance indicator (PI) program provides useful insights, particularly when combined with the inspection program, to help ensure plant safety and/or security.

X☐Yes ☐No ☐U/A

Can you recommend any improvements?
The PI program should be used to Maximize plant safety and security, not just help ensure it.

2. Appropriate overlap exists between the PI and the inspection programs to provide for a comprehensive indication of licensee performance.

☐Yes X☐No ☐U/A

Can you recommend any improvements?
Too many loopholes exist that render both programs deficient because of irrational concessions and exceptions granted to licensees because of the plant's age or other factors. The routine waiving of safety rules, to allow plants to stay on-line, or because of past flawed NRC decisions that remain flawed without any recourse.

3. NEI 99-02, "Regulatory Assessment Performance Indicator Guideline," provides clear guidance regarding performance indicators.

☐Yes X☐No ☐U/A

Can you recommend any improvements?
See Item #2 above

4. PI program effectively contributes to the identification of performance outliers based on risk-informed, objective, and predictable indicators.

☐Yes X☐No ☐U/A

Can you recommend any improvements?
Commonsense is often overruled by risk-based criteria alone, which then becomes the basis for determining safety

significance and safety consequences.

5. Information contained in inspection reports is relevant, useful, and written in plain English.

X☐Yes ☐No ☐U/A

Can you recommend any improvements?
Though what is written in reports is relevant and factual, there are often many findings of safety significance that are not documented in the reports that are soon forgotten since they are left to licensee discretion to take action or disposition.

6. The inspection program adequately covers areas that are important to plant safety and/or security and is effective in identifying and ensuring the prompt correction of performance deficiencies.

☐Yes X☐No ☐U/A

Can you recommend any improvements?
Many loopholes exist that provide too many exceptions to too many plants. In addition, non-safety modifications that are not part of the licensing and design bases, are considered untouchable by NRC, even though they could jeopardize the integrity of safety systems through inadequate and flawed designs by placing undue challenges on the safety system.

7. The Significance Determination Process (SDP) results in an appropriate regulatory response to performance issues.

☐Yes X☐No ☐U/A

Can you recommend any improvements?
A complicated system that is easily manipulated and subject to interpretation such that real issues often get thrown-out by SDP.

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

☐Yes ☐No X☐U/A

Can you recommend any improvements?

9. Information contained in assessment reports is relevant, useful, and written in plain English.

☐Yes ☐No X☐U/A

Can you recommend any improvements?
Isn't this the same statement as Item 5?

10. The ROP safety culture enhancements help in identifying licensee safety culture weaknesses and focusing licensee and the NRC attention appropriately.

X☐Yes ☐No ☐U/A

Can you recommend any improvements?
Sometimes, depending on the relationship that exists between the NRC and the licensee/NEI, and on political

pressures.

11. 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).

☐Yes X☐No ☐U/A

Can you recommend any improvements?
The interpretation of Rules, Regulations, and activities are very subjective, and often depend on the whims of the Resident Inspectors, the Inspection Team Leaders, and their management. Furthermore, ROP interpretations vary widely from Region to Region.

12. The ROP is risk-informed, in that actions and outcomes are appropriately graduated on the basis of increased significance.

☐Yes X☐No ☐U/A

Can you recommend any improvements?
Risk informed must at times give way to commonsense no matter what the numbers appear to portray.

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

☐Yes X☐No ☐U/A

Can you recommend any improvements?
Repetitive successful plant operation dulls ROP interpretation. What should be cause for grave concern and immediate action, is often delegated as a routine issue of no consequence.

14. The ROP provides adequate assurance, when combined with other NRC regulatory processes, that plants are operated and maintained safely and securely.

☐Yes X☐No ☐U/A

Can you recommend any improvements?
See Items #2, 4, 6, 11, 12, 13. Furthermore, some SERs written when existing plants were licensed are technically flawed, yet NRC remains reluctant to admit, challenge, and correct these flawed SERs that clearly affect safety. Many older plants should not be exempt from meeting the most basic of safety regulations and industry standards; this NRC practice is then perpetuated even when these plants are granted life extensions. Something seems very wrong.

15. NRC actions related to the ROP are high quality, efficient, realistic, and timely.

☐Yes X☐No ☐U/A

Can you recommend any improvements?
See Item #11, 14.

16. The ROP ensures openness in the regulatory process.

☐Yes X☐No ☐U/A

Can you recommend any improvements?
Not from the Publics' perspective. Comments which challenge the technical basis of NRC decisions are frequently ignored and remain unacknowledged.

17. There are sufficient opportunities for the public to participate in the process.

☐Yes X☐No ☐U/A

Can you recommend any improvements?
See Item 16. NRC appears unwilling to consider viewpoints that are contrary established NRC positions and regulations. NRC competence in these technical areas becomes questionable.

18. NRC is responsive to public's comments and inputs on the ROP.

☐Yes X☐No ☐U/A

Can you recommend any improvements?
See Items 16 and 17. In addition, based on past comments provided on the ROP process and other safety issues, NRC has appeared unwilling to admit any opinions that differs from pre-established NRC positions.

19. The ROP has been implemented as defined by program documents.

☐Yes X☐No ☐U/A

Can you recommend any improvements?
Program documents are easily subject to misinterpretation, thus weakening the ROP.

20. The ROP does NOT result in unintended consequences.

☐Yes X☐No ☐U/A

Can you recommend any improvements?
Accidents and near misses caused by a series of chain events, each relatively low-risk and harmless by itself, but catastrophic when linked, are not part of ROP philosophy or thinking.

Which of the following groups best describe your affiliation/interest?

☐State/Local Government

☐Public (interested member of the public or public interest groups)

☐Industry (licensee and its employees, INPO, NEI, etc)

X☐Other: Nuclear Plant Expert Consultant

Please save and email the survey to ROPSurvey@nrc.gov, or mail a hard copy (with docket ID NRC-2011-0270) to:

Cindy Bladey,
Chief, Rules, Announcements, and Directives Branch Office of Administration (Mail Stop: TWB-05-B01M)
U.S. Nuclear Regulatory Commission
Washington, DC 20555_0001

If you submit this by email, you will receive an acknowledge email. If you do not receive such email in two business days, please contact us at ROPSurvey@nrc.gov. Please save a copy of the filled survey for your record.

Paperwork Reduction Act This survey contains information collections that are subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.). These information collections were approved by the Office of Management and Budget, approval number 3150-0197, which expires August 31, 2012.

The burden to the public for these voluntary information collections is estimated to be 45 minutes per response. The information gathered will be used in the NRC's self-assessment of the reactor oversight process. Send comments regarding this burden estimate to the Information Services Branch (T-5 F53), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by Internet electronic mail to INFOCOLLECTS.RESOURCE@NRC.GOV; and to the Desk Officer, Chad Whiteman, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0197), Office of Management and Budget, Washington, DC 20503.

Public Protection Notification The NRC may not conduct or sponsor, and a person is not required to respond to, a request for information or an information collection requirement unless the requesting document displays a currently valid OMB control number.