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J. Liao (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.

☒Yes ☐No ☐U/A

Can you recommend any improvements?
There is currently some disagreement between the industry and the NRC regarding interpretation of reporting requirements related to the Safety System Functional Failures PI. NRC should ensure that the any changes to the reporting guidance are accompanied by an analysis of effect on the performance band thresholds for this PI.

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

☒Yes ☐No ☐U/A

Can you recommend any improvements?
In the Initiating Events and Mitigating Systems cornerstones, the inspection overlap can be excessive. This is especially noticeable in the Problem Identification and Resolution (PI&R) inspections and large team inspections such as the Component Design Bases Inspections (CDBI), where substantial inspection effort is focused on events and issues reported under the performance indicator program. In some cases, the overlap can be excessive. This is especially noticeable in findings of low safety significance that also affect PIs and safety culture monitoring. An example involves the many recent findings regarding degraded voltage relay settings raised during Component Design Bases Inspections. In some cases, these findings have also resulted in impacts to PIs (e.g., safety system functional failures), safety culture aspects (e.g., problem identification and conservative assumptions), and traditional enforcement, even though the findings have raised legitimate questions about potential backfit issues. NRC may want to consider adjusting outcomes based on the aggregate impact to licensees in unusual cases such as these.

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

☒Yes ☐No ☐U/A

Can you recommend any improvements?

No comments

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

☒Yes ☐No ☐U/A

Can you recommend any improvements?
The recent increase in reporting of safety system functional failures has been driven partially by changes in NRC interpretation of reporting guidance. It is not clear that this increase is due to a decline in the performance of the industry or of any individual plant.

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

☒Yes ☐No ☐U/A

Can you recommend any improvements?
In some cases, the NRC's process for refining or revising findings between the plant exit meeting and the issuance of the inspection report needs improvement. During the inspection efforts, the inspection program appropriately allows for licensee input in characterizing a finding and any related determinations, such as safety culture aspects. The same principle should apply when the NRC is considering changes in finding characterization following the exit meeting with the licensee. In many cases, the NRC does communicate with licensees in these situations; however, this practice is sometimes not followed, and the NRC should consider reinforcing this expectation.

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 ☐No ☐U/A

Can you recommend any improvements?

No comments

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

☒Yes ☐No ☐U/A

Can you recommend any improvements?
It appears that the Security SDP is producing a disproportionate number of greater than green findings. A rough count shows that 24 of 85 greater than green findings identified in the ROP from 2008 to present have been in the physical security cornerstone. This appears to be related to extremely low thresholds for violation areas such as safeguards control.

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

☒Yes ☐No ☐U/A

Can you recommend any improvements?

No comments

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

☒Yes ☐No ☐U/A

Can you recommend any improvements?

No comments

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

☐Yes ☒No ☐U/A

Can you recommend any improvements?
The safety culture enhancements do not focus licensee resources appropriately. Since licensees apply significant resources to correcting safety culture issues identified by the NRC, it is important that the NRC process for identifying these issues reflects an integrated picture of a licensee's safety culture. Basing conclusions about safety culture at a plant on the relatively small number of safety culture crosscutting aspects that are assigned to findings over a period of time does not provide an accurate assessment of safety culture. The "greater than three findings" threshold for a substantive cross-cutting issue seems to have no basis. There has been enough run-time on the program to re-evaluate the threshold. In addition, the cross-cutting aspect definitions are broad enough that deficiencies within an aspect may be unrelated and not constitute a valid trend in a particular area; however a substantive crosscutting issue could be considered. Differences across regions and plants in the number of inspection hours and findings naturally produce variations in the number of safety culture aspects assigned and a corresponding wide variation in the number of substantive cross-cutting issues identified by the NRC.

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 ☐No ☐U/A

Can you recommend any improvements?
In general, yes. However, NRC should formally evaluate the estimated number of inspection hours for large team inspections (Triennial Fire Protection, Component Design Bases Inpsection, and Problem Identification and Resolution Inspection) against the actual inspection hours experienced in the last few years for these inspections. The RUG IV plants have noted that the actual inspection hours quite frequently exceed the estimated hours, sometimes by a factor of two, even allowing for pre-inspection prep time. This lack of predictability in inspection hours makes it difficult for licensees to budget and plan resources to support inspections. Additionally, the RUG IV plants have noted a recent tendency for last minute changes in the published inspection schedule. We realize that some of these changes may be unavoidable; however, we request that NRC evaluate ways to minimize the need for schedule changes, especially for near-term inspections.

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

☒Yes ☐No ☐U/A

Can you recommend any improvements?

See the comments in response to Question 7 regarding the Security SDP.

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

☒Yes ☐No ☐U/A

Can you recommend any improvements?

No comments

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

☒Yes ☐No ☐U/A

Can you recommend any improvements?

No comments

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

☒Yes ☐No ☐U/A

Can you recommend any improvements?
For the most part, the ROP is effective, efficient, realistic, and timely. A continuing area for improvement is the SDP. The SDP is a fundamental process for the ROP, as it is exercised frequently and is used to determine the safety significance of findings. As such, it is in both industry and NRC interests that the process be efficient, transparent, and objective. Current concerns with the SDP include timeliness of completion and subjectivity in the determination of outcomes. While timeliness has improved somewhat in the past several years, the timeliness and subjectivity concerns are linked; often licensees spend much time challenging SDP determinations that appear to involve subjective elements in the use of risk tools, thus delaying SDP completion.

16. The ROP ensures openness in the regulatory process.

☒Yes ☐No ☐U/A

Can you recommend any improvements?

No comments

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

☒Yes ☐No ☐U/A

Can you recommend any improvements?

No comments

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

☒Yes ☐No ☐U/A

Can you recommend any improvements?

No comments

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

☒Yes ☐No ☐U/A

Can you recommend any improvements?

No comments

20. The ROP does NOT result in unintended consequences.

☒Yes ☐No ☐U/A

Can you recommend any improvements?
A potential concern for unintended consequences is raised by the NRC's planned re-integration of physical security into the action matrix. Due to the relatively high number of greater than green findings in the physical security cornerstone, re-integration poses a potential for an increased number of plants in the multiple/repetitive degraded cornerstone column. NRC's current policy allows for flexibility in determining if a licensee should be placed in this column. We encourage the NRC to retain this flexibility with the re-integration of security into the action matrix.

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)

☐Other:

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.