



# **CONSTRUCTION REACTOR OVERSIGHT PROCESS**

## **PILOT RESULTS**

February 6, 2013  
Category 2 Meeting



## Meeting Purpose

Evaluate the results of the construction reactor oversight process (cROP) pilot against success criteria and discuss next steps in cROP assessment and enforcement program development

# Background

- Pilot began on 1/1/2012, ended on 12/31/2012
- Pilot conducted at Vogtle and V.C. Summer
- To date, issued 7 Vogtle and 2 Summer inspection reports
- All findings identified to date were of very low safety significance (green)
  - 6 findings at Vogtle
  - 4 findings at Summer
- Conducted 1st quarter, mid-cycle, and 3rd quarter assessments for each unit

# Background

- All units in licensee-response column of construction action matrix
- End-of-cycle assessment to be conducted in February and assessment letters to be issued in early March
- Public assessment meetings to be conducted in late March/early April near both sites
- Solicited stakeholder feedback
  - Internal and external surveys conducted through the end of CY 2012
  - Public meetings in vicinity of sites in early CY 2013

## Initial Lessons-Learned Incorporated Into Guidance Documents

- Modified guidance for corrective action program effectiveness reviews
- Provided additional guidance for assessment letter contents
- Provided additional guidance for ITAAC finding documentation
- Added requirement to track licensee-identified violations that are material to ITAAC acceptance criteria
- Clarified role of vendor inspections in ITAAC verification
- Clarified the difference between vendors/suppliers and contractors working on behalf of licensees



# Pilot Success Criteria

## 1.8.1 Risk-informed Baseline Inspection Program

- **METRIC:** Can the inspection finding significance determination guidance be used by inspectors and regional management to efficiently categorize inspection findings in a timely manner?

**SUCCESS CRITERIA:** Inspection reports can be issued on time for the pilot plants and the significance of all findings can be determined within the agency goal of 90 days.

**RESULTS:** Metric was met.

- **METRIC:** Can inspection findings be properly assigned a safety significance rating in accordance with established guidance?

**SUCCESS CRITERIA:** All of the inspection findings were properly categorized and no risk-significant inspection findings were characterized as green.

**RESULTS:** Metric was met.

## 1.8.2 Assessment

- **METRIC:** Can the assessment process be performed within the scheduled time?

**SUCCESS CRITERIA:** It can, if for the pilot plants, an assessment of the inspection findings can be completed and the assessment letter can be issued on time.

**RESULTS:** Metric was met.

- **METRIC:** Can the construction action matrix be used to take appropriate NRC actions in response to indications of licensee performance?

**SUCCESS CRITERIA:** It can, if there are no instances in which it is concluded that action required for a pilot plant is different from the range of actions specified by the construction action matrix.

**RESULTS:** Metric was met.



## 1.8.2 Assessment

- **METRIC:** Do the inspection findings provide an adequate indication of licensee performance? Does the process provide a reasonable assurance that the cornerstone objectives are being met and the plant is being constructed in accordance with its design?

**SUCCESS CRITERIA:** Success will be determined by an evaluation conducted at the pilot results public meeting.

**RESULTS:** Discussion.

**SURVEY FEEDBACK:**

- **Internal feedback:** Most responders agreed that the findings identified were a reflection of the current licensee performance.
- **External feedback:** The responsibility of licensee contractors in the design and construction of new plants is different than for operating plants and the NRC may wish to reconsider their current definitions. For example, the design authority for an approved design is considered a licensee contractor by the NRC and thus the licensee is held responsible for design errors by the design authority. In actuality, the design authority is providing the licensee with a pre-approved design and is acting in the role of a vendor and should be held accountable for design errors as a vendor by the NRC.

## 1.8.2 Assessment

- IMC 2506 Definitions:
  - Contractor. Any organization or individual under contract to furnish items or services to a licensee engaging in an NRC-regulated activity. It includes the terms consultant, vendor, supplier, fabricator, constructor, and sub-tier levels of these organizations.
  - Vendor. Any company or organization that provides products such as material, equipment, components or services to be used in an NRC-licensed facility or activity. In certain cases the vendor may be an NRC licensee (e.g., a nuclear fuel fabricator) or the product may have NRC certificates (e.g., a transportation cask).

## 1.8.2 Assessment

- **METRIC:** Are the mid-cycle and end-of-cycle assessments performed for the pilot plants in a manner that meets the objectives of the assessment program guidance?

**SUCCESS CRITERIA:** Success will be determined by an evaluation conducted at the pilot results public meeting.

**RESULTS:** Discussion

### **SURVEY FEEDBACK:**

- Every response was in agreement that the assessments were performed for the pilot plants in a manner that meets the objectives of the assessment program guidance.
- Some improvements were suggested.

## 1.8.2 Assessment

- **METRIC:** Does the use of the new assessment program and action matrix result in more consistent and predictable NRC action decisions for plants with varying levels of performance?

**SUCCESS CRITERIA:** Success will be determined by an evaluation conducted at the pilot results public meeting.

**RESULTS:** Discussion

**FEEDBACK:** A vast majority of responses were in agreement that the new assessment program and action matrix result in more consistent and predictable NRC action decisions for plants with varying levels of performance

### 1.8.3 Enforcement

- **METRIC:** Enforcement actions are taken in a manner consistent with the assessment of inspection findings by the risk characterization guidance.

**SUCCESS CRITERIA:** Success will be determined by an evaluation conducted at the March 2013 public meeting.

**RESULTS:** Discussion

**FEEDBACK:** Every response was in agreement that actions were taken in a manner consistent with the assessment of inspection findings by the risk characterization guidance.

## 1.8.4 Information Management Systems and Staff Training

- **METRIC: Are the assessment data and results readily available to the public?**

**SUCCESS CRITERIA: They are if inspection findings are publicly available on the Internet within 5 days of report issuance for the pilot plants.**

**RESULTS: Metric was met.**

- **METRIC: Are the NRC information support systems, such as the Construction Inspection Program Information Management System (CIPIMS) ready to support full implementation of the new programs?**

**SUCCESS CRITERIA: They are, as determined by an evaluation by the NRO/CIPB and Region II staffs.**

**RESULTS: Metric was met.**

## 1.8.4 Information Management Systems and Staff Training

- **METRIC: Have inspectors and managers been adequately trained to successfully implement the new oversight processes?**

**SUCCESS CRITERIA: They have, as indicated on training feedback forms received from the Region II staff.**

**RESULTS: Metric was met.**

## Are there any lessons learned regarding Corrective Action Program implementation and NRC verification?

- **The thresholds for when the NRC determines that the CAP program is adequate or degraded should be clarified as well as the timeframe for conducting the inspection.**
- **Why is the CAP inspection conducted more frequent than in an operating plant? The CAP inspection should be similar in approach as the ROP with a 4-week type of effort.**
- **NRC should communicate more clearly that if licensee delegates portions of the CAP to its contractor that the NRC will be inspecting those as well.**



**The current timeframe for counting findings and baseline program cross-cutting aspects in the assessment program is 6 months. Is this sufficient time to effectively evaluate licensee performance?**

- **Results showed there were mixed opinions.**
- **For those that disagreed it was suggested that a 1-year timeframe would be more practical in gathering enough information to evaluate licensee performance.**
- **Licensees opined the timeframe was correct for the amount of inspection hours invested on site.**

## **Has there been sufficient activity during the pilot to end the pilot and fully implement the new construction assessment and enforcement approaches?**

- **Consensus is that the pilot was a success and that enough activity occurred to show that the process is sound**
- **The staff should continue to engage stakeholders as lessons are learned and incorporated into the various cROP programs**

## **ADDITIONAL FEEDBACK**

- **Broad definition of URI has resulted in delays in processing findings in a timely manner. The guidance for URIs should be revisited.**
- **A large number of findings are being identified on the last day of an inspection resulting in additional URIs at the exit meeting.**
- **Construction Cross-Cutting components and aspects are not always debriefed at the NRC exit meetings.**
- **Clarify when a performance deficiency can be considered to affect a system/structure design function as used in the SDP**

## **Additional Feedback**

- **A construction chapter of the enforcement manual should be developed.**
- **Cross-cutting aspects should be revisited for construction**
- **There is confusion between the difference between the types of findings (i.e., ITAAC finding, ITAAC-related construction finding, construction finding, programmatic finding, technical finding).**
- **NRC should clarify statements in Vendor inspection reports where it states that if an issue identified is not corrected it might impact the ability for the NRC to meet the applicable ITAAC.**

## **Key cROP Revisions to Support Full Implementation**

- **Develop a construction chapter in the enforcement manual and revise the Enforcement Policy to reflect guidance in EGM 11-06 (will develop in parallel to implementation).**
- **Revisit cross-cutting aspects for construction**
  - **Interactions with stakeholders will be necessary**
  - **Align with ROP actions to address Commission Safety Culture Statement**
- **Eliminate different types of inspection findings**
- **Consider additional guidance as needed to better define roles and responsibilities of vendors/suppliers and contractors**

# Pilot Exit Strategy

- New assessment and enforcement approach is sound
- Latest revision of pilot guidance documents will remain in effect into 2013
- ACRS briefing on 2/7
- Commissioner Assistant's briefing prior to 3/21
- Results reported in cROP self-assessment SECY Paper by end of April
- Goal is to incorporate feedback and issue final guidance documents by 7/1