

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 it 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 and take any necessary corrective actions. This process has provided licensees with frequent opportunities to comment on the NRC's regulatory impact.

This enclosure reports on feedback received from licensees during fiscal year (FY) 2012. During this period, the staff received and compiled feedback from 94 site visits to 47 reactor sites across all four NRC regions. These visits resulted in 199 distinct comments that fell into two main categories: (1) inspector performance; and (2) formal communications with licensees. Of the comments compiled, 95 percent were favorable and 5 percent were unfavorable. The favorable percentage was slightly higher than previous years and the distribution of comments was similar. The few unfavorable comments appear to be isolated, and the staff has forwarded the specific feedback to the responsible managers for their consideration. The sections below summarize the feedback received and the staff's evaluation.

Inspector Performance

Feedback

Over half of the licensees' comments related to inspector performance. This category covers a wide range of inspector practices, but it excludes issues involving communication with licensees discussed in the following section. Well over 90 percent of the comments were positive with respect to the NRC's inspection staff, the high quality of NRC inspections, inspectors' technical competence, and the effective working relationship between the NRC and its licensees. Licensees described inspectors as tough but fair, professional, and focused on the issues of greatest significance. Nonetheless, a few licensees had unfavorable comments about concerns or disagreements they had with an inspector's characterization of an inspection issue, particularly whether an issue was minor or more-than-minor (and therefore, documented the issue in an inspection report).

Evaluation

The staff concludes that inspectors were professional, maintained effective working relationships, and appropriately characterized licensee performance. All but a few 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 during inspector counterpart meetings, workshops, training courses, and site visits conducted in accordance with IMC 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.

Formal Communications with Licensees

Feedback

Almost half of the licensees' comments related to the effectiveness of communications between the NRC staff and licensees. Almost all comments on communications with inspectors, staff, and management were favorable. Many licensees said that communications were good or excellent, with only a single licensee providing feedback that earlier communications on issues would be beneficial.

Evaluation

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 received during the past year. All of the comments except one were favorable; the reported communication problem was isolated and has been addressed.

The staff is aware of the importance of prompt and clear communication and emphasizes this goal in the guidance and training provided for inspectors and other NRC staff and management. Effective communications will remain a priority consistent with the openness and clarity principles of good regulation, and will receive continued monitoring and attention from regional and headquarters management.