

Mendiola, Doris

Subject: FW: Docket ID NRC-2013-0125: STARS Alliance LLC Comments on the Effectiveness of the Reactor Oversight Process Baseline Inspection Program
Attachments: STARS ROP Baseline Effectiveness Letter SIGNED.pdf

From: Larry Parker <larry.parker@starsalliance.com>
To: Bladey, Cindy
Cc: Gamberoni, Marsha; Scott Bauer <scott.bauer@starsalliance.com>
Sent: Thu Aug 08 19:01:23 2013
Subject: Docket ID NRC-2013-0125: STARS Alliance LLC Comments on the Effectiveness of the Reactor Oversight Process Baseline Inspection Program

Cindy Bladey,

I realize the comment period is closed on this Federal Register Notice, but please consider the attached comments from STARS Alliance.

Thank you,

Larry

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78 FR 35056

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Add= M. Gamberoni (mtg)



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San Onofre Nuclear Generating Station
South Texas Project
Wolf Creek Generating Station

STARS 13007

August 7, 2013

Ms. Cindy Bladey
Chief, Rules, Announcements, and Directives Branch (RADB)
Office of Administration
U. S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: STARS Alliance LLC Comments on Effectiveness of the Reactor Oversight Process Baseline Inspection Program, Docket ID NRC-2013-0125

References:

1. Federal Register (FR) dated June 11, 2013 (78 FR 35056) Docket ID NRC-2013-0125
2. Letter from the Nuclear Energy Institute dated July 26, 2013
3. Letter from the National Regional Utility Group (NRUG) dated July 28, 2013

Dear Ms. Bladey,

STARS Alliance LLC (STARS) submits the following comments in response to the Federal Register notice (Reference 1) soliciting comments on the effectiveness of the NRC's Reactor Oversight Process (ROP) Baseline Inspection program.

STARS believes the ROP has been effective in positioning the NRC as a strong, credible regulator: an important element in maintaining the safety and viability of the nuclear industry. Routinely assessing the effectiveness of the ROP is important to maintaining its ongoing effectiveness. In that regard, STARS endorses the comments being submitted by the Nuclear Energy Institute (Reference 2) and the National Regional Utility Group (NRUG) (Reference 3), as well as those made during the July 17, 2013, NRC public meeting. STARS would like to also emphasize the following points:

1. Plants are impacted by the increasing burden associated with the baseline inspection program. This burden adds to the cumulative impact of regulation. Some examples of this increased burden are:
 - a. Varying interpretations by inspectors of existing regulations and guidance result in changes to previously acceptable plant design, processes and procedures. The inspection program is meant to verify compliance with a plant's licensing and design basis. However, in some instances it is inappropriately used to impose changes to the licensing and design basis rather than using the processes developed for that purpose. When licensees object, the "unresolved issues" and "task interface

agreement" are inappropriately used as an informal but expedient process to impose such changes. The inspection process should not be used to make changes to plant licensing and design bases but these issues should be entered into the correct processes for that purpose.

- b. There has been an increasing number of NRC-identified findings of very low safety significance. This increase appears to conflict with other measures showing stable or improving industry performance.
 - c. The resource estimates published in NRC inspection procedures are not effective in estimating the impact of the burden on licensees, especially for the large team inspections. Furthermore, when several of these large team inspections fall within a short time period, they place an undue strain on licensee resources.
2. STARS endorses the following changes to improve the effectiveness of the ROP Baseline Inspection program:
- a. Inspection issues that are new interpretations of regulations and guidance with generic implications should be addressed in a process outside of the ROP. This process would assess the safety significance of the change, and allow input by affected stakeholders.
 - b. Develop improved "more than minor" guidance such as:
 - i. Add more examples of minor violations to the inspection guidance,
 - ii. Limit the application of the phrase "if left uncorrected" it has the "*potential*" to ... impact the cornerstone. This practice seems to be increasingly used to elevate an otherwise minor violation to more than minor, and
 - iii. Ensure "more than minor" thresholds are being applied consistently across the regions.
 - c. Make inspection and assessment hours spent on the baseline inspection program more transparent and predictable. This may require staggering major team inspections such that a station receives no more than one per year. The annual assessment letters should also include a section with the total number of NRC hours billed to the licensee to implement the baseline inspection program, along with an explanation of whether the actual total deviates significantly from estimates.
 - d. Make the violation appeal process more transparent and participatory. This process is not seen as a viable process by the industry because it does not give the licensee a chance to present its case effectively to an impartial third party reviewer. The process as it currently exists rarely produces a result different than what the inspection originally concluded.

Ms. Cindy Bladey
August 7, 2013
STARS 13007

STARS appreciates this opportunity to comment on the Effectiveness of the ROP Baseline Inspection program. If you have any question on these comments, please contact me at 623-239-3548, or Scott Bauer at 623-239-4359, or scott.bauer@starsalliance.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'James Becker', with a long horizontal line extending to the right.

James Becker
President, STARS LLC
james.becker@starsalliance.com

LMP