

NRCExecSec Resource

From: Richard Andrews <dick0645@yahoo.com>
Sent: Sunday, January 12, 2014 9:45 AM
To: NRCExecSec Resource
Subject: Regulatory Framework Flawed

Follow Up Flag: Follow up
Flag Status: Completed

I have another item that I believe merits consideration by the Commissioners.

Sincerely,
Richard Andrews

When NRC inspectors find a problem it should always be considered a big deal Why? Because when an NRC inspector finds a problem it is probably the tip of an iceberg of problems.

When the NRC finds a problem that means the nuclear power plant operator has failed to find it first. The nuclear plant safety net has been breached.

The nuclear plant safety net includes all the folks who have failed to identify the problem in the first place. They include:

- *The plant workers themselves*
- *Their supervisors and managers*
- *The plant Quality Control Group*
- *The plant's Corrective Action Group*
- *The independent Quality Assurance Group*
- *The Utility Safety Oversight Groups*
- *INPO-the Institute of Nuclear Power Operations*

When the NRC finds a problem it should therefore be a big deal but I do not think it is consistently treated that way by the NRC or some plant licensees. Furthermore, I do not believe that it is the fault of the NRC inspectors themselves.

I think it is the NRC regulatory framework and structure that is seriously flawed. And that is the fault of NRC management.

Even though I am a retired old-timer in the nuclear business I have tried to keep up to speed with what is going on with our nation's nuclear power plants. In the old days problems identified by NRC inspectors seemed to always be a big deal. And I think today that in the best-run and managed nuclear plants that is still the case. In these

best plants even potential problems or even NRC inspector voiced concerns are jumped on by these plants and wrestled to the ground. However, changes to the regulatory process over the years have, in my opinion, diminished the significance of real problems identified by NRC inspectors. In the old days a violation was a violation and the nuclear power plant operator had to respond in writing to any such violation. Today there are minor violations, non-cited violations, and cited violations. Minor violations and non-cited violations require no formal response from the licensee. Only cited violations require a written response. Furthermore, minor violations can be omitted in NRC plant inspection reports.

I reviewed the regulatory track record of one plant that was recently placed on the NRC "troubled plant" list.

Over a 16-year period there were only 10 cited violations. Of these 10 only two were violations identified by the NRC. The other 8 were self-revealing violations due to equipment malfunctions and in one case a fire. The key here is that after the plant was placed on the enhanced NRC inspection program due to a couple of those significant violations, the licensee was forced to take a hard look at their operation. In so doing they found many problems with equipment, programs, processes, and management that were not, for the most part, previously identified by the NRC. In hindsight looking at some of the detailed NRC inspection reports some problems were identified by NRC inspectors but were buried in the inspection reports as concerns, and minor or non-cited violations. The bottom line is that some plants jump on NRC concerns and some obviously need regulatory arm-twisting. Plant after plant has been determined to be a "troubled plant" and I believe part of the problem is that the current NRC regulatory framework is flawed.

NRCExecSec Resource

From: Richard Andrews <dick0645@yahoo.com>
Sent: Monday, January 13, 2014 8:27 AM
To: NRCExecSec Resource
Subject: NRC Performance Indicator Program Seriously Flawed

Follow Up Flag: Follow up
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Dear Sir:

I have another item that I believe should be brought to the attention of the Commissioners.

Sincerely,
Richard Andrews

NRC Inspection Findings Performance Indicator Summary Ineffective

Did you know that the latest nuclear power plant to be placed under the NRC's Enhanced Inspection Program had the same set of performance indicators when it was placed under the program that it had when the NRC allowed the plant to restart last month?!

In the 4th Quarter of 2011 (the plant was placed under 0350 enhanced inspection 12/13/11) the NRC ROP Inspection Findings Summary showed 1-Red, 1-Yellow, 4-Green, 1-No Finding, inspection finding windows. When the NRC allowed the plant to restart last month these performance indicators were exactly the same color except that one window, the security window, was worse than before, so-called Greater Than Green. The color codes are kind of like a traffic light but with an extra White light. Green is good to go, White is worse (no white lights for this plant), Yellow is worse yet, and Red is the worst from a nuclear safety standpoint. Doesn't this situation tell even the layman that something is terribly wrong with the NRC performance indicator program?!

NRCExecSec Resource

From: Richard Andrews <dick0645@yahoo.com>
Sent: Monday, January 13, 2014 10:06 AM
To: NRCExecSec Resource
Subject: NRC Performance Indicators

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A "Green Board" Should Be Required for Nuke Plant Restart

I previously talked about the NRC performance indicator program and how I thought it was seriously flawed.

Case in point was the last plant that was placed on an enhanced NRC inspection program. It had the same set of performance indicator colors it had when it was placed on the troubled plant list as it had when it was allowed to restart by the Commission a couple of years later. Shouldn't all performance indicators be in the "Green" for go when a plant is allowed to restart? A nuclear plant would not restart if there were a bunch of alarm windows lit showing on the control room panels. Same should be the case for regulatory performance windows.