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June 2, 2016

Mr. Christopher G. Miller
Director, Division of Inspection and Regional Support
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Revision of PI&R Inspection Procedure

Project Number: 689

Dear Mr. Miller:

On behalf of the nuclear industry, the Nuclear Energy Institute¹ offers the attached comments on the current project to review and revise Inspection Procedure IP 71111.52², for the inspection of problem identification and resolution (PI&R). These comments are based on information presented by the staff in public meetings on March 17, 2016,³ April 13, 2016,⁴ and May 18, 2016,⁵ and in the charter⁶ for the NRC working group assigned to this project.

As we indicated in our May 11 conversation, we have serious concerns that this project will lead to a PI&R inspection that is more burdensome to the NRC and the licensees, but no more beneficial to safety. It appears to us that the staff's primary aim is to modify the PI&R inspection to spot a marginal corrective

¹ NEI is the organization responsible for establishing unified nuclear industry policy on matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues. NEI's members include all utilities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineering firms, fuel fabrication facilities, materials licensees, and other organizations and individuals involved in the nuclear energy industry.

² Inspection Procedure 71152, "Problem Identification and Resolution", February 26, 2015, ADAMS accession number ML14316A042.

³ NRC Meeting Announcement, "March 2016 Reactor Oversight Process Monthly Public Meeting", ADAMS accession number ML16064A397.

⁴ NRC Meeting Announcement, "April 2016 Reactor Oversight Process Monthly Public Meeting", ADAMS accession number ML16085A127.

⁵ NRC Memorandum, "Summary of the Reactor Oversight Process Working Group Public Meeting Held on May 18, 2016", ADAMS accession number ML16152A556.

⁶ "Problem Identification and Resolution Working Group Charter – Phase I", ADAMS accession number ML15290A004.

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action program. This appears to go beyond the NRC's obligation and authority to judge corrective action programs against the requirements of 10 CFR 50, Appendix B, Criterion XVI.

During the May 18, 2016, ROP public meeting, the PI&R project team leader suggested that we had significantly misunderstood the intent of the staff's previous presentations. Whereas we took the proposals NRC presented in previous meetings to be firm and soon forthcoming, the team leader indicated that those proposals were merely notional, brainstorming ideas to stimulate discussion. Furthermore, he expressed a belief that, when we eventually do see mark-ups of the PI&R inspection procedure, we would conclude the changes are mere "enhancements," not radical departures from the status quo. Until we see firm proposals and clear mark-ups, we have only the representations made to us in oral remarks and presentation slides and these animate, rather than allay, our concerns.

If you have questions, please contact James Slider (jes@nei.org; 202-739-8015) or me.

Sincerely,

A handwritten signature in black ink that reads "Chris Earls". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Christopher E. Earls

Attachment

c: Mr. William M. Dean, NRR, NRC