

DS09
L. Coblenz

Commonwealth Edison Company
1400 Opus Place
Downers Grove, IL 60515

RECEIVED

1995 JUL -5 PM 4: 44

RULES REVIEW & DIR. BR.
USNRC

ComEd

60 FR 28180
5/30/95

(13)

June 29, 1995

U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Attention: Document Control Desk

Subject: NRC Inspection Reports, Review of Content, Format and Style

Commonwealth Edison Comments;
NRC Docket Numbers 50-237 and 249; 254 and 265; 295 and 304; 373
and 374; 454 and 455; 456 and 457.

Mr. David Meyer
Chief, Rules Review and Directives Branch
Division of Freedom of Information and
Publication Services
Office of Administration
Mail Stop: T6D59

The purpose of this letter is to provide Commonwealth Edison's (ComEd) comments to the Federal Register Notice (FR 95-13104) dated May 30, 1995 relating to the revision of NRC procedures for inspection reports. These comments specifically address whether the content, format and style of inspection reports as currently issued are appropriate, and how they may be improved. ComEd has provided comments only to those questions considered most significant to the company. These comments can be found in the attachment and are keyed to the specific question as listed in the federal register. Comments addressing overall inspection adequacy are provided below.

A balanced perspective reflecting strengths as well as weaknesses of the procedures, programs and activities that have been reviewed needs to be factored into the inspection report. Currently inspection reports tend to be almost exclusively negative, which may create a perception of spiraling negative performance and may give the public an incorrect perception of licensee and industry performance.

9507110025 950629
PDR ADDCK 05000237
G PDR

k:rpa:insprts:irl.wpf:1

Quality factors should be applied to inspections which mirror the performance based regulatory goals. Inspections and the resulting reports should be evaluated against the following criteria: focus of inspection activities and reports on safety significance and results; useability of inspection results to provide an integrated assessment of licensee performance; coordination of inspection activities with other plant activities to minimize the impact of inspection on plant operation; conduct of interactions with licensee personnel in a professional, diplomatic and tactful manner.

Development of a feedback mechanism which provides licensees the ability to provide comments on the quality, effectiveness and adequacy of inspection reports should be pursued. The mechanism should encourage licensees to evaluate the results of inspections and provide feedback which reinforces the overall mission of the NRC and the licensees to protect the public, workers and environment along with emphasizing compliance with requirements, encouragement of prompt self-identification of issues, and pursuit of prompt and comprehensive corrective actions.

ComEd appreciates your consideration of these and the attached comments.

Sincerely,



Dennis L. Farrar
Nuclear Regulatory Services Manager

Attachment

cc: J. Martin, Regional Administrator, RIII
R. Capra, Director-Directorate III

ATTACHMENT- COMED COMMENTS ON
INSPECTION REPORT CONTENT, FORMAT, AND STYLE

A.1.	Inspection Report Content, Focus on safety
A.1.a	Are inspection reports appropriately focused on safety issues? Should report writers be required to articulate the safety significance of each finding?
<i>Response to A.1.a</i>	Inspection reports should provide an adequate context for findings, with an indication of the significance of the findings from a safety or regulatory perspective. This includes an assessment of whether violations are isolated, in the context of overall performance.
A.1.b	Is the level of detail for a given issue generally commensurate with the significance of that issue?
<i>Response to A.1.b</i>	Long technical discussions which repeat design information that is available in other documents and do not support findings or discuss areas of concern provide no value added from the perspective of safety significance.
A.1.c	What threshold of significance should be used to determine whether or not an observation should be documented in the inspection report? Do existing reports generally use an appropriate threshold of significance?
<i>Response to A.1.c</i>	<p>A balanced approach which reflects both strengths and weaknesses of programs and activities reviewed should be used when determining whether or not an observation should be documented. Guidance can be developed based on objectives such as; emphasizing self-identification of issues, ensuring prompt and effective corrective action, compliance with requirements, and self-initiated improvements.</p> <p>The basis for documenting observations in the inspection report appears to occasionally be subjective in nature, i.e. whatever the SRI cares to discuss.</p> <p>Appropriate avenues need to be developed to address differing professional opinions which do not insinuate inappropriate activities on the part of the licensee.</p>
A.1.d	Are reports, as currently written, too negative in their focus? Should "equal time" be given to discussions of licensee strengths and successes? If so, what criteria should be used to include such findings in inspection reports?
<i>Response to A.1.d</i>	NRC inspection reports should provide a balanced perspective, reflecting strengths as well as weak aspects of programs and activities reviewed. Currently inspection reports tend to be almost exclusively negative, which may give the public (and Public Utility Commissions) an incorrect perception of performance. Additionally, from a lessons learned perspective, the ability to identify good practices is limited due to the focus on weak or negative aspects of programs and activities reviewed. Appropriate avenues need to be developed to address differing professional opinions which do not insinuate inappropriate activities on the part of the licensee.

ATTACHMENT- COMED COMMENTS ON
INSPECTION REPORT CONTENT, FORMAT, AND STYLE

A.2	Inspection Report Content, Supporting Details
A.2.a	Do inspection reports generally contain an appropriate level of detail to describe technically complex issues?
<i>Response to A.2.a</i>	The level of detail in many inspection reports could be streamlined to avoid being excessively discursive (e. g., discussions that repeat technical or design information available in other documents). By simplifying inspection reports, the preparation time and cost can be reduced.
A.2.b	What level of detail should be included for describing an event when that event has already been described separately in a licensee event report?
<i>Response to A.2.b</i>	The licensee event report (LER) should be referenced in the inspection report. Only those issues with which the NRC does not concur should be discussed in the inspection report.
A.2.c	What level of detail should be used to describe inspection activities when little or no findings have resulted from those activities?
<i>Response to A.2.c</i>	Inspection reports should clearly identify specific procedures, programs and activities reviewed during an inspection. A summary assessment of the review should be included.
A.2.d	What are the costs and benefits of including, as enclosures to the report, all referenced material to support report findings (e.g., licensee procedures, supporting calculations, or independent studies)?
<i>Response to A.2.d</i>	The level of detail in many inspection reports could be streamlined to avoid being excessively discursive (e. g., discussions that repeat technical or design information available in other documents). By simplifying inspection reports, the preparation time and cost can be reduced. Additionally, constraints should continue to be applied due to the proprietary nature of some of the reference information.
A.3	Inspection Report Content, Enforcement Issues:
A.3.a	What information should be included in inspection reports to support taking enforcement actions?
<i>Response to A.3.a</i>	Inspection reports should provide an adequate context for findings, with an indication of the significance of the findings from a safety or regulatory perspective. This includes an assessment of whether violations are isolated, in the context of overall performance. The content should include; a brief summary of the event, a discussion of circumstance surrounding the event, history of operation at the time of the event, references to the violated technical specification, procedures, and CFR's, the applicable enforcement policy supplement, apparent root cause(s), actions taken by the licensee to correct the violations, whether the violation was self-identified and the regulatory message.

ATTACHMENT- COMED COMMENTS ON
INSPECTION REPORT CONTENT, FORMAT, AND STYLE

A.3.b	Are reports generally clear in stating the circumstances of the violation (e.g., what requirement was violated, how it was violated, who identified it, etc.)?
<i>Response to A.3.b</i>	Inspection reports should provide an adequate context for findings, with an indication of the significance of the findings from a safety or regulatory perspective. This includes an assessment of whether violations are isolated, in the context of overall performance. Additionally, the specific reference for the findings (i.e. technical specification, 10 CFR 50 Appendix B reference, or other CFR reference) along with the enforcement policy supplement reference should be included in the inspection report. How a requirement was not met and who identified the violation should be included in the discussion of the circumstances of the violation.
A.3.c	Is sufficient detail generally given to substantiate enforcement related conclusions?

ATTACHMENT- COMED COMMENTS ON
INSPECTION REPORT CONTENT, FORMAT, AND STYLE

<p><i>Response to</i> <i>A.3.c</i></p>	<p>Generally, there is sufficient detail to substantiate enforcement related conclusions. However, clarification with regard to the significance of the findings from a safety or regulatory perspective should be required to be discussed in the inspection report. An assessment of whether violations are isolated, in the context of overall performance along with how a requirement was not met and who identified the violation would assist in providing the basis for the enforcement conclusions. When violations or apparent violations are noted, the regulatory basis should be clearly identified. Extra precision is especially appropriate when relating a violation to regulatory provisions of a general nature, such as 10 C.F.R. Part 50, Appendix A (General Design Criteria) and Appendix B (Quality Assurance Criteria). Caution should be exercised in an inspection report when characterizing an item as a "management" deficiency or a "programmatic" problem. These terms are not well-defined and involve highly subjective assessments. One aspect of enforcement actions which create confusion or a situation where the licensee may become lost in the details is when duplicative proposed violations are cited. The individual citing of violations instead of grouping similar violations creates an atmosphere of bean counting and fails to reinforce the message which is intended by the enforcement action.</p> <p>An example where duplicative violations were proposed is the Dresden Enforcement Action (EA 95-030).</p> <p>The proposed violations regarded:</p> <ul style="list-style-type: none">• Compliance with 10 CFR 50, Appendix B, Criterion V, "Instructions, Procedures, and Drawings," with three examples: not securing recirculation pump seal purge flow as required, an inadequate recirculation pump start procedure, and an inadequate procedure for performing a vacuum breaker surveillance.• Compliance with technical specifications during a January 10, 1995, restart of the 2B recirculation pump.• Compliance with technical specifications for primary containment leakage limits that were exceeded between January 6 and February 3, 1995. <p>These examples are considered duplicative in that the first example is a symptom of the failure to comply with technical specifications. The second and third examples are listed as separate violations; they are however both examples of same violation, e.g., the technical specification non-compliance.</p> <p>By increasing the number of proposed violations and citing violations as separate issues, the overall message is often diluted by the attempt to address the individual specifics of all of the proposed violations.</p> <p>One violation was ultimately cited after the enforcement conference. The violation was a technical specification non-compliance, citing two examples.</p>
--	---

ATTACHMENT- COMED COMMENTS ON
INSPECTION REPORT CONTENT, FORMAT, AND STYLE

A.3.d	Should all minor and non-cited violations be documented in inspection reports? What threshold should be used to determine the significance of compliance items that must be documented?
<i>Response to A.3.d</i>	All cited and non-cited violations should be documented in inspection reports. The failure to document violations may result in a failure to understand the position which the NRC has taken on a issue and the failure to provide complete and accurate information associated with findings. Additionally, if cited and non-cited violations are used to assess a licensee's performance, the failure to document the basis of the assessment will result in inconsistent assessments, ineffective communication of issues and increase the probability of hidden agendas and inspection subjectiveness. The NRC Enforcement Program provides guidance on the issuance of findings and how to determine the severity level. The significance of the findings should be based on the objectives of the enforcement program and the associated Policy and Procedure for Enforcement Action and its supplements.
A.4	Inspection Report Content, Clear Conclusions
A.4.a	Are report conclusions generally well-supported by facts? Is the progression of logic generally clear?
<i>Response to A.4.a</i>	NRC cover letters for transmittal of inspection reports should carefully summarize the factual findings in the inspection itself to avoid reaching unsupported conclusions in an effort to "send a message" to the licensee. Caution should be exercised in an inspection report when characterizing an item as a "management" deficiency or a "programmatic" problem. These terms are not well-defined and involve highly subjective assessments. Organization of inspection reports should be improved, especially where multiple examples of an apparent violation are sprinkled throughout the report. Improved "indexes" for violations, unresolved items, deficiencies, deviations, etc., which are keyed to the body of the report, should be considered.
A.4.b	Is a conclusion statement always necessary for each section of the report (e.g., when limited observations or findings were made in a given area)?
<i>Response to A.4.b</i>	Yes, conclusion statements provide a summary perspective of the issues and processes which were reviewed. NRC inspection reports should provide a balanced perspective, reflecting strengths as well as negative aspects of programs and activities reviewed in the conclusion statements.
B.1	Inspection Report Format, Consistency
B.1.a	Should inspection report formats be consistent from region to region? What benefits or problems would result from adopting a standardized report outline?

ATTACHMENT- COMED COMMENTS ON
INSPECTION REPORT CONTENT, FORMAT, AND STYLE

<i>Response to B.1.a</i>	Yes, consistent formats from region to region inhibit subjective application and interpretation of the regulations. Additionally, a standardized format increases the ability to apply lessons learned from other sites.
B.1.b	What are the advantages and disadvantages of combined or integrated inspection reports (e.g., one report per six weeks, per reactor site, covering all areas)?
<i>Response to B.1.b</i>	Integrated inspection reports provide an overall view of site activities. They increase the consistency of the inspection process and minimize the adverse or overly positive impact of a single inspector. Additionally, issuing one report inhibits the narrow perspective which develops when reviewing function specific reports.
B.1.c	When is the use of "boilerplate" appropriate (i.e., standard phrases or sentences used from report to report to describe similar inspection methods, purposes, or conclusions)? Should more or less boilerplate be used?
<i>Response to B.1.c</i>	Boilerplate phrases are appropriately used when referencing standard inspection methodologies, closure of items, inspection purpose, referencing of other documents which provide additional information. Inappropriate use of boilerplate phrases includes assessments of licensee activities, enforcement action summaries, significance of the findings from a safety or regulatory perspective, message intended by enforcement actions, cover letter assessments or messages.
B.2	Inspection Report Format, Readability:
B.2.a	What features increase or decrease a report's readability or effectiveness in communication?
<i>Response to B.2.a</i>	Inspection reports should clearly identify specific procedures and programs reviewed during an inspection. The level of detail in many inspection reports could be streamlined to avoid excessively discursive, dense passages (e. g., discussions that repeat technical or design information available in other documents). The closure of items noted in an inspection report should be clearly traceable. When violations or apparent violations are noted, the regulatory basis should be clearly identified. Extra precision is especially appropriate when relating a violation to regulatory provisions of a general nature, such as 10 C.F.R. Part 50, Appendix A (General Design Criteria) and Appendix B (Quality Assurance Criteria). Organization of inspection reports should be improved, especially where multiple examples of an apparent violation are sprinkled throughout the report. Improved "indexes" for violations, unresolved items, deficiencies, deviations, etc., which are keyed to the body of the report, should be considered.
B.2.b	Do you prefer a narrative or a "bulletized" appearance?

ATTACHMENT- COMED COMMENTS ON
INSPECTION REPORT CONTENT, FORMAT, AND STYLE

<i>Response to B.2.b</i>	Both narrative and bulletized formats have their uses. A narrative format is more appropriately used when providing an executive summary, assessment results, or cover letter information. A bulletized format is effective when lists of information is to be included in the inspection report. Additionally, a time line presented are in a bulletized format increases the readability of the information.
B.3.	Inspection Report Format, Usefulness:
B.3.a	What features increase or decrease the efficiency of later efforts to retrieve information from a report (e.g., for SALP reviews, regional studies, or external reviews)?
<i>Response to B.3.a</i>	<p>Items which decrease the efficiency of inspection reports include: inconsistent formats, subjective assessments with no factual basis, multiple discussions of an event or violation sprinkled throughout the report, lack of indexes, failure to reference specific procedures or programs reviewed, lack of a balanced perspective of performance (i.e. strengths and weaknesses), failure to state safety or regulatory significance of findings, discussion which repeats technical or design information that is available in other documents, use of subjective terms to assess performance such as management deficiency, programmatic problem or generic concern and untimely issuance of inspection reports.</p> <p>Items which increase the efficiency of inspection reports include: consistent format, executive summary, definitive cross referencing, separate listing of closed items, referencing of specific procedures and programs assessed, listing of strengths as well as weaknesses, avoidance of subjective assessments with no factual basis, listing of actions taken by the licensee in response to identified issues if not contained in some other documents and timely issuance of the inspection reports. Formally prepared exits notes or a drafted inspection report at the time of the exit helps to ensure that the tone of the inspection report doesn't change from the exit to issuance of the report.</p>
B.3.b	Are there particular parts of the report that could be deleted without decreasing the report quality or detracting from its function?
<i>Response to B.3.b</i>	Discussion which repeats technical or design information that is available in other documents.
B.4	Report Summaries: What information should be included in a report summary? How should it be presented?
<i>Response to B.4</i>	Executive summaries as currently used in the Dresden inspection reports are effective and efficient. They provide an assessment of performance which articulates the strengths and weakness demonstrated and highlights the associated findings. Reference inspection report 50-237(249)/95005).

ATTACHMENT- COMED COMMENTS ON
INSPECTION REPORT CONTENT, FORMAT, AND STYLE

B.5	Cover Letters: How might cover letters be modified to express more clearly the level of concern, or to better convey a particular performance message to a licensee?
<i>Response to B.5</i>	NRC cover letters for transmittal of inspection reports should carefully summarize the factual findings in the inspection itself to avoid reaching unsupported conclusions in an effort "send a message" to the licensee.
C.1.	Inspection Report Style
C.1.a	Style variations: In what ways do variations in writing style influence the effectiveness of inspection reports?
<i>Response to C.1.a</i>	<p>Long discussions which repeat procedure passages, technical or design information, LER information, or provide excessive details associated with an activity, make inspection reports difficult to read and interpret if there is a regulatory message.</p> <p>When no assessment of reviewed programs, procedures, or activities is provided as a concluding statement, the value of information contained in the inspection report becomes superfluous.</p> <p>Inspection reports which reference other information, summarize areas reviewed state in a definitive manner the procedure, programs and activities which were reviewed, and provide a factual based assessment, are effective in conveying information to the licensee.</p>
C.2.	NRC style: Are there particular features of standard NRC style (e.g., consistent use of past tense or third person form) that make inspection reports more readable? Less readable?
<i>Response to C.2</i>	No Comment
C.3.	Tone: Are inspection reports generally written in an appropriate tone?
<i>Response to C.3</i>	NRC inspection reports should provide a balanced perspective or tone, reflecting strengths as well a negative aspects of procedures, programs and activities reviewed. Appropriate avenues need to be developed to address differing professional opinions which do not insinuate inappropriate activities on the part of the licensee.
C.4.	Grammatical Construction: Are inspection reports generally acceptable in sentence and paragraph construction? Do they give evidence of careful- proofreading?
<i>Response to C.4</i>	Generally, inspection reports are acceptable in sentence and paragraph construction and give evidence of carefull proofreading.

ATTACHMENT- COMED COMMENTS ON
INSPECTION REPORT CONTENT, FORMAT, AND STYLE

D	<p>Additional Comments</p> <p>In addition to the above specific issues, comenters are invited to provide any other views on NRC inspection reports that could assist the NRC in improving their effectiveness.</p>
<i>Response to D</i>	<p>Additional quality factors should be applied to inspections which mirror the performance based regulatory goals. Inspections and the resulting reports should be evaluated against the following criteria: focus of inspection activities and reports on safety significance and results; useability of inspection results to provide an integrated assessment of licensee performance; coordination of inspection activities with other plant activities to minimize the impact of inspection on plant operation; conduct of interactions with licensee personnel in a professional, diplomatic and tactful manner.</p> <p>A feedback mechanism should be established so that licensees have the ability to provide comments on the quality, effectiveness and adequacy of inspection reports. The mechanism should encourage licensees to evaluate the results of inspections and provide feedback which reinforces the overall mission of the NRC and the licensees to protect the public, workers and environment along with emphasizing compliance with requirements, encouragement of prompt self-identification of issues, and pursuit of prompt and comprehensive corrective actions.</p> <p>Inspectors should be encouraged to have fomally prepared exit notes or have the inspection report drafted at the time of the exit. The words expected to be used in the report should be similar to those used at the exit meeting, to the extent practicable. At exit meetings, an event may be discussed, but the tone of the discussion can sometimes be much different than that of the final words in the inspection report. If inspection report contents change as a result of input from regional personnel, then up front involvement should be required so that the wrong message is not conveyed to the licensee. Additionally, regional personnel should be attending exit meetings on a more frequent basis to ensure that any message conveyed at the exit is consistent with the inspection report.</p>