



UNITED STATES
NUCLEAR REGULATORY COMMISSION
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June 7, 2018

MEMORANDUM TO: Christopher G. Miller, Director
Division of Inspection and Regional Support
Office of Nuclear Reactor Regulation

FROM: Michael L. Scott, Director */RA/*
Division of Preparedness and Response
Office of Nuclear Security and Incident Response

SUBJECT: APPROVAL OF CHARTER FOR PERFORMING A FOCUSED SELF-ASSESSMENT OF THE EMERGENCY PREPAREDNESS SIGNIFICANCE DETERMINATION PROCESS

This memorandum approves the charter that describes the focused self-assessment (FSA) of the Emergency Preparedness Significance Determination Process (EP SDP).

On December 12, 2017, the Nuclear Energy Institute (NEI) submitted a letter entitled, "Recommendations for Improving the Emergency Preparedness Significance Determination Process" (Agencywide Documents Access and Management (ADAMS) Accession No. ML17354A094). The Nuclear Regulatory Commission (NRC) responded via letter dated February 7, 2018, entitled "Receipt of Nuclear Energy Institute Recommendations for Improving the Emergency Preparedness Significance Determination Process" (ADAMS Accession No. ML18024A427). In the letter to NEI, the NRC documents our intent to "...take a fresh look at the EP SDP" and to "...convene an expert team to evaluate the EP SDP based on the NRC's experience with the EP SDP as well as inputs from external stakeholders."

During calendar year (CY) 2018, an expert team (consisting of selected NRC Regional and HQ staff) will conduct an FSA in accordance with Inspection Manual Chapter (IMC) 0307, "Reactor Oversight Process Self-Assessment Programs." This FSA will consist of procedural reviews, EP Inspector surveys, and opportunities for external stakeholders to provide comments and/or suggestions. The Reactor Oversight Process (ROP) holds regularly scheduled meetings between staff and external stakeholders which will be used to provide updates on the status of this FSA.

Enclosure:
Charter

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In addition, a Category II Public Meeting will be scheduled on June 25, 2018, to inform interested stakeholders of this FSA on the EP SDP, the availability of the Charter, and that an opportunity will be provided to facilitate feedback on the EP SDP. Near the completion of the FSA, another Category II Public Meeting will be scheduled to present the draft results of the FSA.

The results of this FSA will be summarized in the annual ROP self-assessment SECY paper. Any actions identified through the FSA will be addressed through existing processes, and will include consideration of Commission approval and notification requirements in Management Directive 8.13.

cc: C. Johnson, DPR B. Kahler, DPR D. Johnson, DPR J. Ambrosini, RI
G. Hansen, RIII P. Elkmann, RIV E. Schrader, DPR R. Gibson, DPR

SUBJECT: APPROVAL OF CHARTER FOR PERFORMING A FOCUSED SELF-ASSESSMENT OF THE EMERGENCY PREPAREDNESS SIGNIFICANCE DETERMINATION PROCESS

DATE: 06/07/18

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Accession Number: ML18149A392

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DATE	05/31/18	05/31/18	06/4/18/ <i>Via email</i>	06/4/18 <i>Via email</i>
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NAME	C. Johnson	M. Scott		
DATE	06/4/18	06/07/18		

OFFICIAL RECORD COPY

CHARTER

FOCUSED SELF-ASSESSMENT OF EP SDP

I. BACKGROUND:

The objectives of the staff in developing the various components of the Reactor Oversight Process (ROP) were to provide tools for inspecting and assessing licensee performance in a manner that was more risk-informed, objective, predictable, and understandable than the previous oversight process. The ROP was developed to meet the four agency performance goals to: 1) maintain safety; 2) increase openness; 3) make NRC activities and decisions more effective, efficient, and realistic; and 4) reduce unnecessary regulatory burden. The Significance Determination Process (SDP) also uses risk insights, where appropriate, to assist NRC staff in determining the safety or security significance of inspection findings identified within the seven cornerstones of safety at operating reactors. The SDP is a risk-informed process and the resulting safety or security significance of findings, combined with the results of the risk-informed performance indicator (PI) program, is used to determine a licensee's level of safety performance and the level of NRC engagement with the licensee in accordance with IMC 0305, "Operating Reactor Assessment Program." Each appendix to IMC 0609, "Significance Determination Process," supports a cornerstone(s) associated with the strategic performance areas as defined in Management Directive (MD) 8.13, "Reactor Oversight Process" and the baseline inspection program as outlined in IMC 2515, "Light-Water Reactor Inspection Program – Operations Phase" and IMC 2201, "Security and Safeguard Inspection Program for Commercial Power Reactors."

The EP SDP is a risk-informed qualitative analyses to estimate the risk significance of inspection findings related to licensee performance in meeting EP cornerstone objectives and performance expectations. Entry into the EP SDP occurs when an Inspector discovers a finding related to EP requirements as directed by IMC 0612, Appendix B, "Issue Screening." The EP SDP is not used to assess the significance of a finding under the EP Cornerstone that is caused by a finding under a different cornerstone if the following is true:

- the licensee's performance would have been compliant if the finding in the other cornerstone had not occurred, and,
- if a finding is being issued under the other cornerstone, and the deficiency will be corrected.

If either condition is not met, then the EP SDP is to be used to ensure that the appropriate corrective action(s) will be taken. The EP Cornerstone Objective and EP Cornerstone Performance Expectation are as follows:

- EP Cornerstone Objective: "To ensure that the licensee is capable of implementing adequate measures to protect the public health and safety in the event of a radiological emergency."
- EP Cornerstone Performance Expectation: "Demonstration that reasonable assurance exists that the licensee can effectively implement its emergency plan to adequately protect the public health and safety in the event of a radiological emergency."

II. PURPOSE:

In April 2018, a working group consisting of experienced EP staff members was formed to perform a FSA of the EP SDP. The scope of this FSA is to take a fresh look at the EP SDP and

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provide recommendations to NRC management that either support, or propose changes to, the EP SDP.

III. TASKING:

A. Procedural Review

1. Review the following procedures to ensure that the EP Cornerstone Objective and the EP Cornerstone Performance Expectation are met. In addition, perform the following validation efforts, document conclusions, and evaluate proposed recommendations.
 - a. Validate that the procedures lead to consistent results,
 - b. Validate that the significance of the findings are appropriate for the public risk posed by the issue,
 - c. Validate that each planning standard has adequate information to support the goal of risk-informing each finding,
 - d. Validate that issues related to other cornerstones are adequately addressed, as applicable,
 - e. Validate that the basis for the EP SDP continues to be relevant and appropriate, e.g., are findings in the EP Cornerstone weighted more than findings in other cornerstones.
2. The following procedures are included in the scope of review:
 - IMC 0306, "Planning, Tracking, and Reporting of the Reactor Oversight Process (ROP)"
 - IMC 0308, "Reactor Oversight Process Basis Document"
 - IMC 0308 Attachment 3, Appendix B, "Technical Basis for Emergency Preparedness Significance Determination Process"
 - IMC 0609, "Significance Determination Process"
 - IMC 0609, Appendix B, "Emergency Preparedness Significance Determination Process"
 - IMC 0612, "Issue Screening"
 - IMC 0612, Appendix B, "Issue Screening"
 - IMC 0612, Appendix G, "Emergency Planning Cornerstone-Specific Supplemental Guidance for Appendix B Screening Figures 1 and 2"

B. Training

1. Validate that IMC 1245, Appendix C6, "Emergency Preparedness Inspector Technical Proficiency Training and Qualification Journal," provides adequate training to support implementing the EP SDP.

C. Stakeholder Feedback

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1. Gather feedback from internal and external stakeholders and consider that feedback in the final FSA report,
2. Conduct a survey of NRC inspectors who have implemented the EP SDP and consider their feedback,
3. Conduct a stakeholder meeting to discuss stakeholder issues, concerns, and/or recommendations for the EP SDP. Ensure the meeting schedule provides stakeholders adequate time to prepare.
4. Consider open ROP feedback forms related to the EP SDP.

D. Transformation

1. Attempt to identify transformative ideas to accomplish the EP SDP with, for example, less resource use and /or licensee burden while continuing to accomplish the purpose of the EP SDP.
2. While developing recommendations for possible enhancements to the EP SDP, consider feedback provided to the NRC Transformation Team, for applicability to the FSA. For example, consider the applicable recommendations in the National Regional Utility Group letter dated May 2, 2018, "Transforming the Reactor Oversight Process to a New Paradigm," (ADAMS Accession No. ML18127A080).

E. FSA Report

1. Develop a draft FSA report and conduct stakeholder briefings to discuss the preliminary results. The goal of the draft report briefing is to ensure stakeholders are aware of comment resolutions, recommendations, and the bases.
 - a. While developing recommendations for possible enhancements to the EP SDP, consider feedback provided to the NRC Transformation Team to ensure continued alignment with NRC goals and expectations. For example, consider the applicable recommendations in the National Regional Utility Group letter dated May 2, 2018, "Transforming the Reactor Oversight Process to a New Paradigm," (ADAMS Accession No. ML18127A080).
2. Develop a final FSA report, with recommendations, and provide briefings at management meetings.

F. FSA Team

1. Team Leader Functions:
 - a. Schedule and lead meetings,
 - b. Ensure minutes are prepared and action items are tracked,
 - c. Circulate draft products to members for review,
 - d. Notify responsible managers of Charter modifications,
 - e. Provide periodic status brief to the NSIR/DPR Deputy Director on the progress and status of this FSA,
 - f. Provide periodic status brief to the ROP Working Group during regularly scheduled teleconferences.

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2. Team Membership

Clay Johnson, NSIR/DPR/DD (SES Champion)(301) 287-3779
 Don Johnson, NSIR/DPR/POB (FSA Team Leader).....(301) 287-9230
 Josephine Ambrosini, Region I Senior EP Inspector.....(610) 337-5146
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 Ray Gibson, NSIR/DPR/POB(301) 287-3614
 TBD, NRR/IRIB TBD

IV. DURATION

The charter will remain in place until the ROP SECY paper is completed.

V. LEVEL OF EFFORT

Periodic meetings (or teleconferences) of the FSA Team will be coordinated approximately monthly by the chair. These meetings may be slightly more frequent during project startup and wrap-up. In addition, a Category II Public Meeting will be scheduled on June 25, 2018, to inform interested stakeholders of this FSA on the EP SDP, the availability of the Charter, and that an opportunity will be provided to facilitate feedback on the EP SDP. Near the completion of the FSA, another Category II Public Meeting will be scheduled to present the draft results of the FSA.

VI. CHARTER MODIFICATIONS

The FSA Leader will obtain approval from the Deputy Director, NSIR/DPR prior to making substantive changes to the charter tasking or desired outcomes.

VII. SCHEDULE

Activity (Within Scope of Charter)	Completion Date	Target Date
Inform ROP Working Group of FSA	4/2/2018	5/24/2018
Issue Charter	6/7/2018	6/8/2018
Conduct Public Meeting #1 to discuss the FSA Charter, communicate the plan for collaboration, and future meetings		6/25/2018
Develop NRC EP Survey and Stakeholder Comment Form		Jul 2018
Send EP Inspectors, Resident Inspectors, and applicable HQ staff the survey		Jul 2018
Post Stakeholder Comment Form on NRC Webpage and Inform Stakeholders		Jul 2018
FSA Team to Review All Procedures in accordance with Charter		Aug 2018
All surveys and stakeholder comments due to FSA Lead		Oct 2018
Develop draft assessment report		Nov 2018

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Activity (Within Scope of Charter)	Completion Date	Target Date
Facilitate NSIR/DPR/DD concurrence with draft assessment report to facilitate public meeting		Dec 2018
Conduct Public Meeting #2 to discuss draft assessment report and recommendations		Jan 2019
Develop final assessment report and obtain approval, brief applicable NRR/IRAB and NSIR Management		Jan 2019
Charter closed		Feb 2019
<i>Evaluation and implementation of EP SDP FSA recommendations to be determined by NRR at the completion of this FSA on the EP SDP.</i>		