Proposed Changes to Action Matrix
ROP Enhancement Recommendation 2B.1

Explanation of Changes

Below is a description of the current and proposed contents of the Reactor Oversight Process (ROP) Action Matrix[1]. A mark-up of the Action Matrix (Figure-1 from NRC Inspection Manual Chapter 0305) is provided at the end of this document. Cells within that table are identified by their column (letters A-H) and row (numbers 1-11) to help in locating the proposed changes.

Change Column Headings

Current [Row 1]: [The Action Matrix currently uses descriptive text and numbers to label the columns (e.g., "Licensee Response Column (Column 1)"). The current labels for Action Matrix Columns 1 and 2 give no sense of the relative significance of column changes.

Proposed [Row 1]:

a) [Cells C1-D1] Reword the first two column headings to clarify that licensee performance is "normal" in both columns.
b) [Cell E1] Remove the designation "Column 3" from the heading of Action Matrix Column 3.
c) [Cell F1] Remove the designation "Column 4" from the heading of Action Matrix Column 4.

Basis: The proposed change in column headings corresponds to the change in labeling White findings as "of low safety significance" that was recommended by industry and the expectation that occasional White findings are part of normal performance.

Change Results (Column Entry Criteria)

Current [Cell E2]: The criteria for entry into Action Matrix Column 3 currently are "…3 or more white inputs or 1 yellow input, or 3 white inputs in any strategic performance area".

Proposed [Cell E2]: Revise criteria to read "…3 or more white inputs in same cornerstone or 1 yellow input, or 3 white inputs in any strategic performance area".

Basis: The proposed change is editorial, to clarify that the degraded cornerstone is one in which three or more White inputs occur. A degraded cornerstone is not to be declared when any three White inputs occur in some combination of Whites across various cornerstones.

Change Response Rows

Current [Cells A3-D6]: The Response entries for current Action Matrix Column 2 signal a significant escalation from the responses shown in current Action Matrix Column 1. The NRC Responses should be revised to reflect the true, *de minimis* change in safety significance associated with a White finding or performance indicator.

Proposed [Cells D3-D6]: In current Action Matrix Column 2, change the following:

a) Regulatory Performance Meeting entry [Cell D3] says meeting is to occur with the regional Branch Chief or Division Director; eliminate the "or Division Director", to reflect the sufficiency of Branch Chief contact for response to White findings.

[1] Figure 1 in NRC Inspection Manual Chapter 0305, Operating Reactor Assessment Program, June 21, 2018, ADAMS ML18059A337.

b) Licensee Action entry [Cell D4] specifies that licensee root cause evaluation will be available; per NEI 16-07[2], replace the mention of root cause evaluation with "causal evaluation".
c) NRC Inspection entry [Cell D5] specifies "Baseline and Supplemental Inspection IP 95001)"; follow-up by Region; replace this with "Follow-up by Resident Inspector with assistance from regional specialist if necessary".
d) Regulatory Actions entry [Cell D6] specifies "Supplemental inspection only". Change this to "Adjustment to Baseline sample areas as necessary."

Basis: The proposed changes clarify the level of NRC response is consist is editorial, to clarify that the degraded cornerstone is one in which three or more White inputs occur. A degraded cornerstone is not to be declared when any three White inputs occur in some combination of Whites across various cornerstones.

Change Communication Rows

Current [Cells A7-D10]: As above, the Communication entries for current Action Matrix Column 2 convey a significant escalation from the responses shown in current Action Matrix Column 1. The Communications should be revised to reflect the true, *de minimis* change in safety significance associated with a White finding or performance indicator.

Proposed [Cell C7]:

a) Assessment Letter entry [Cells C7-D7] says Branch Chief or Division Director reviews and signs assessment letter with inspection plan; eliminate the "or Division Director", to reflect the sufficiency of Branch Chief review of the response to White findings.
a) Annual Involvement of Public Stakeholders entry [Cell D8] specifies that the Branch Chief or Division Director should consider these options; eliminate "or DD" to reflect the sufficiency of Branch Chief involvement.
b) External Stakeholders entry [Cell D9] specifies contacting the state governors affected; eliminate this contact to reflect the *de minimis* change in safety significance of a White finding or performance indicator.

[2] NEI 16-07, Improving the Effectiveness of Issue Resolution to Enhance Safety and Efficiency, Revision 0, transmitted to NRC's Michael R. Johnson by NEI's Joseph Pollock letter dated April 18, 2018.

Proposed Changes to Action Matrix
ROP Enhancement Recommendation 2B.1

Proposed Figure 1: Reactor Oversight Process Action Matrix

	A	B	C	D	E	F	G	H
1			Normal Regulatory Performance[5]		Degraded Regulatory Performance	Multiple/Repetitive Degraded Cornerstones	Unacceptable Performance	IMC 0350 Process[1]
2	RESULTS		High Regulatory Performance: All assessment inputs (performance indicators and inspection findings) green; Cornerstone objectives fully met	Good Regulatory Performance: One or two white inputs in a strategic performance area; Cornerstone objectives met with low impact on safety performance	One degraded cornerstone (3 or more white inputs or 1 yellow input), or 3 white inputs in any strategic performance area; Cornerstone objectives met with moderate degradation in safety performance	Repetitive degraded cornerstone, Multiple degraded cornerstones, Multiple yellow inputs, or One red input; Cornerstone objectives met with longstanding issues or significant degradation in safety performance	Overall unacceptable performance; Plants not permitted to operate within this band; Unacceptable margin to safety	Plants in a shutdown condition with performance problems are placed in the IMC 0350 process (i.e., removed from the ROP)
3	RESPONSE	Regulatory Performance Meeting	None	Branch Chief with licensee	Regional Administrator or designee meets with senior licensee management.	EDO/DEDO or designee meets with senior licensee management	EDO/DEDO or designee meets with senior licensee management	RA/EDO or designee meets with senior licensee management
4		Licensee Action	Licensee corrective action	Licensee causal evaluation and corrective action with NRC oversight	Licensee cumulative root cause evaluation with NRC oversight	Licensee performance improvement plan with NRC oversight		Licensee performance improvement & restart plan with NRC oversight
5		NRC Inspection	Risk-informed baseline inspection program	Follow-up by Resident Inspector with assistance from specialist if necessary	Baseline and supplemental inspection IP95001 for isolated Yellow finding IP 95002 for findings with relational consequences	Baseline and supplemental inspection (IP 95003)		Baseline and supplemental as practicable; Special inspections per restart checklist.
6		Regulatory Actions[2]	None	Adjustment to related Baseline samples if necessary	Supplemental inspection only; Plant discussed at AARM if conditions met	10 CFR 2.204 DFI; 10 CFR 50.54(f) letter; CAL/Order; Plant Discussed at AARM	Order to modify, suspend, or revoke license; Plant discussed at AARM	CAL/Order requiring NRC approval for restart; Plant discussed at AARM
7	COMMUNICATION	Assessment Letters	Branch Chief reviews and signs assessment letter w/ inspection plan	Branch Chief reviews/signs assessment letter w/ inspection plan	Regional Administrator reviews/signs assessment letter w/ inspection plan	Regional Administrator reviews/signs assessment letter w/ inspection plan		N/A. RA or 0350 Panel Chairman review/ sign 0350-related correspondence
8		Annual Involvement of Public Stakeholders	Various public stakeholder options involving the senior resident inspector or Branch Chief	Various public stakeholder options involving the Branch Chief	Regional Administrator or designee discusses performance with senior licensee management	EDO/DEDO or designee discuss performance with senior licensee management		N/A. 0350 Panel Chairman conducts periodic public status meetings
9		External Stakeholders[3]	None	None	State Governors, DHS, Congress	State Governors, DHS, Congress	State Governors, DHS, Congress	
10		Commission Involvement	None	None	Possible Commission meeting if licensee remains for 3 years	Commission meeting with senior licensee management within 6 months.[4]	Commission meeting with senior licensee management	Commission meetings as requested; Restart approval in some cases.
11		……INCREASING SAFETY SIGNIFICANCE →						

Footnotes to Figure 1 above

[1] The IMC 0350 Process category is included for illustrative purposes only and is not necessarily representative of the worst level of licensee performance. Plants in the IMC 0350 oversight process are considered outside the auspices of the ROP Action Matrix. See IMC 0350, "Oversight of Reactor Facilities in a Shutdown Condition due to Significant Performance and/or Operational Concerns," for more information.

[2] Other than the CAL, the regulatory actions for plants in the Multiple/Repetitive Degraded Cornerstone and IMC 0350 categories are not mandatory NRC actions. However, the regional office should consider each of these regulatory actions when significant new information regarding licensee performance becomes available.

[3] These specific stakeholders shall be notified if a plant is moving to the specified category because of security-related issues.

[4] The timing of the meeting shall be based on a collegial determination by the Commission informed by a recommendation from the EDO, and may exceed the six-month requirement

[5] The first category of performance is labeled "normal regulatory performance" given that issues arising in this category are very low or low safety significance. Issues in this category pose little to no risk to the public health and safety and are considered normal, random variations in performance.