



UNITED STATES
NUCLEAR REGULATORY COMMISSION
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August 12, 2019

MEMORANDUM TO: Thomas R. Hipschman, Chief
Reactor Inspection and Regional Support Branch
Division of Inspection and Regional Support
Office of Nuclear Reactor Regulation

FROM: Christopher G. Miller, Director */RA/*
Division of Inspection and Regional Support
Office of Nuclear Reactor Regulation

SUBJECT: APPROVAL OF CHARTER FOR COMPREHENSIVE REVIEW OF
THE PROBLEM IDENTIFICATION AND RESOLUTION INSPECTION

This memorandum approves the team charter for the working group tasked with performing a comprehensive review of the problem identification and resolution (PI&R) inspection as part of the Reactor Oversight Program (ROP) Enhancement effort that began in October 2018. This working group is being chartered in response to several recommendations provided to the ROP Enhancement initiative by the Nuclear Regulatory Commission's (NRC's) Transformation Team (recommendation #78) and industry (recommendations 1E and 2B.4) related to the PI&R inspection, currently implemented under Inspection Procedure (IP) 71152. The working group, with representation from all four regions and headquarters staff, identified the following four focus areas for this comprehensive review:

1. The basis for IP 71152 and Manual Chapter (MC) 0308 should be reviewed to ensure the purpose of the inspection, including its relationship with the supplemental inspection procedures (IP 9500x series) and cross-cutting themes (IMC 0310), is well defined to accomplish its objectives (*i.e. ensure inspectors understand root cause, Cross Cutting Issues, and desired results from the inspection*).
2. IP 71152 implementation guidance should be reviewed to ensure there is consistency in execution and documentation across the regions (*i.e. improve ability to interpret results of the inspection and ensure cross-regional consistency*).
3. IP 71152 should be evaluated to make better use of incorporating risk insights and integrating these insights/results into other inspections and the annual End of Cycle (EOC) assessment.
4. IP 71152 should provide clearer criteria for inspectors and regional management to use when determining if a licensee's PI&R processes including corrective action program are

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ineffective or has substantial weaknesses. On those rare occasions when a licensee's PI&R process is found to be ineffective, the inspection manual should provide a reliable or repeatable process the NRC can implement to address an inadequate PI&R process.

Enclosure:
Comprehensive Problem Identification
and Resolution Team Charter

SUBJECT: APPROVAL OF CHARTER FOR COMPREHENSIVE REVIEW OF THE
PROBLEM IDENTIFICATION AND RESOLUTION INSPECTION

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I. Background

Well-implemented PI&R processes, including corrective action program (CAP) comprise an essential pillar to nuclear safety. A licensee's inability to maintain an effective PI&R program may indicate a less than adequate safety culture and can be a leading indicator of future declines in performance and safety-significant events.

The Problem Identification and Resolution (PI&R) inspection is used by the Nuclear Regulatory Commission (NRC) to evaluate a licensee's processes for PI&R. Resident inspectors accomplish part of this task through routine review of PI&R activities, semi-annual trend reviews, and an annual follow-up of selected issues. In addition, regional inspection teams evaluate each licensee's PI&R program on a biennial basis.

Licensee procedures for implementing PI&R activities are predicated on their Quality Assurance Programs, which are subject to NRC review. In addition, these programs require adherence to 10 CFR Part 50, Appendix B, and, Criterion XVI, "Corrective Actions." The NRC's policy for giving licensees credit for use of the CAP to resolve low-level inspection findings as non-cited violations is discussed in SECY 99-07A as well as the NRC Enforcement Manual and Reactor Oversight Process documents. Findings that identify shortfalls in the licensee's CAP may be identified, but based on NRC's Enforcement Guidance, end up as green non-cited violations that are placed right back in the CAP.

NRC inspection reports for a biennial PI&R inspection normally include a statement regarding the inspectors' overall assessment of the licensee's CAP. During past ROP assessment cycles, these reports use language such as "adequate," "generally identified issues at an appropriately low threshold" and "generally effective," which have been identified by internal and external stakeholders as ambiguous and undefined in ROP program documents. Without clear criteria and a structured process for assessing a licensee's CAP, the assessments made by PI&R inspection teams are largely subjective and could be inconsistent between the regional offices that implement the IP. Additionally, since most PI&R inspections result in an assessment of a "generally effective" CAP, even when significant shortcomings are identified, the NRC conclusions from a PI&R inspection are mostly ineffective in making meaningful distinctions in plant performance or promoting licensee action to improve their processes.

II. Purpose

The purpose of this comprehensive review is to identify potential changes to the PI&R inspection and procedures to improve its efficiency and effectiveness while maintaining the necessary levels of safety oversight of reactor facilities within the ROP.

III. Tasking

- A. Review ROP documents describing the PI&R processes to ensure a clear understanding of the basis for the PI&R processes and how it is implemented. Also, review supplemental procedures to understand the ties between PI&R and supplemental procedure in evaluation of licensee's CAP. Review Lesson's Learned from 95003 inspections.

- IMC 0308
- IMC 0308, Attachment 2
- IP 71152

- IP 95001
 - IP 95002
 - IP 95003
- B. Review ROP Enhancement recommendations and documentation dispositioning the recommendations associated with the PI&R, specifically recommendations 1E, 2B.4, and 78.
 - C. Review historical data on PI&R enhancement efforts from 2013 and 2016.
 - D. Gather feedback from internal and external stakeholders and consider that feedback in the recommendations and options report.
 - E. Disposition all the associated feedback forms and lessons learned associated with IP 71152.
 - F. Review industry initiative CAP 2.0 to ensure the NRC's current program documents generally align with terminology used by the nuclear industry.
 - G. Determine what changes should be made to the PI&R inspection and develop specific recommendations including pros and cons of proposed changes.
 - H. Develop a draft report documenting the team's efforts, conclusions, recommendations and any alternate views.
 - I. Evaluate potential changes to NRC enforcement policy regarding CAP related violation.

IV. Team Leader Functions

- Prepare and facilitate approval of a thematic-based charter
- Ensure action items are identified and tracked
- Circulate draft products for members to review
- Develop, update, and execute a thematic-based project plan for their recommendation(s)
- Develop communication tools, such as one pagers
- Arrange and facilitate meetings both internally and externally to efficiently and effectively disposition their recommendations
- Identify and engage with necessary internal stakeholders with an emphasis on ensuring the regions are appropriately engaged while ensuring the technical support branch chiefs/team leads are made aware of all activities and regional staff involved in their work
- Attend team meetings and provide summary information, as requested
- Keep the team leader abreast of their activities
- Update the SharePoint site, as necessary
- Make the necessary program document changes, per IMC 0040

V. Projected Time Line

- a. July 15: Team begin the review
- b. July 31st: ROP Monthly Public meeting update on PI&R comprehensive review team focus
- c. August 13-14: In-person meeting with the team
- d. August 15th: Brief DIRS and NRR leadership team on preliminary recommendations
- e. August 19th: Brief Technical Support Branch Chief's and receive comments and feedback
- f. August 21st: Public meeting to share preliminary recommendations with external stakeholders and receive public comments and feedback
- g. August 27th: Brief Regional Advisory Panel and receive comments and feedback
- h. September 20th: Finalize the proposed recommendations and circulate for internal alignment
- i. September ROP Monthly public meeting: Provide update to external stakeholders and receive final public comments and feedback
- j. Oct 15th: Complete the review, and determine if Commission approval is required based on proposed recommendations
- k. Oct 31st: Begin drafting memorandum to DIRS management outlining Team recommendations (or begin drafting the SECY paper if Commission approval is required)
- l. November 22nd: Complete and submit the memorandum to DIRS management
- m. February 2020: Complete SECY (if required)

VI. Team Membership

- Shakur Walker NRR/DIRS, Acting Deputy Director (SES Sponsor)
- Thomas Hipschman, NRR/DIRS/IRIB (Chief, Inspection and Regional Support Branch)
- Ami Agrawal, NRR/DIRS/IRIB (Team Lead)
- Ross Telson, NRR/DIRS/IRIB (Inspection Procedure 71152 Lead)
- Eric Thomas, NRR/DIRS/IRIB
- Jeffrey Bream, NRR/DIRS/IRIB
- Molly Keefe, NRR/DIRS/IRAB
- Sherlyn Haney, R1/DRP
- Ryan Taylor, R2/DRP
- Dan Tesar, R3/DRP
- Jeremy Groom, R4/DRS
- Andrew Rosebrook, NRR/DRA/APOB