



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555

August 10, 1990

RELEASED TO THE PDR

8/24/90
date

Initials

MEMORANDUM FOR: James M. Taylor
Executive Director for Operations

FROM: Samuel J. Chilk, Secretary

SUBJECT: SECY-90-189 - REEVALUATION OF THE SYSTEMATIC
ASSESSMENT OF LICENSEE PERFORMANCE (SALP)
PROGRAM

The Commission (with all Commissioners agreeing) has approved the implementation of the changes to MC 0516 as noted below:

1. Numerical Performance Ratings

The Commission was split on the use of numerical grades in the SALP process. Commissioners Rogers and Curtiss concurred in the staff position to continue assigning numerical grades in the SALP process while Chairman Carr and Commissioner Remick believe that the numerical grades should be deleted. Commissioner Remick would prefer to add terms such as "needs more attention" or "current level of attention sufficient" to functional area assessments rather than assign numerical grades. In accordance with the Commission's administrative procedures in the case of a split vote, the current practice remains in effect since a majority of the Commission did not agree to a change. As such, the use of numerical grades should be retained.

2. Performance Category Definitions

The Commission (with all Commissioners agreeing) approved the proposed changes to the performance category 1 and 2 definitions. The definition for performance category 3 should be modified as follows:

00105 Licensee management attention to and involvement in nuclear safety or safeguards activities resulted in an acceptable level of performance; however, because of the NRC's concern that a decrease in performance may approach or reach an unacceptable level, NRC will consider increased levels of inspection effort.

SECY NOTE: THIS SRM, SECY-90-189, AND THE VOTE SHEETS OF COMMISSIONERS CURTISS AND REMICK WILL BE MADE PUBLICLY AVAILABLE 10 WORKING DAYS FROM THE DATE OF THIS SRM

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3. Number and Types of Performance Categories

The Commission (with Chairman Carr and Commissioners Curtiss and Remick agreeing) disapproves of the assignment of a fourth category for unsatisfactory performance. Commissioner Rogers approved assignment of a fourth category. A decision that a licensee's performance is unacceptable should be made by senior management within the NRC based on all available information. The existing process and forum for these determinations is in place and functioning effectively. Section 0516-08 d. should be omitted from the revised NRC Manual Chapter. Subsequent reference to Category U should also be removed from the revised NRC Manual Chapter. The staff should use the "N" rating only in SALP reports and historical data summaries such as NUREG-1214 for those situations where insufficient data exist to determine a category of performance. The SALP process should be suspended for facilities which are placed in the Category 3 list of problem facilities and not be resumed until such facilities are removed from Category 3. However, the Commission has no objection to a restart readiness review process which includes an ungraded evaluation of performance and trends in the SALP functional areas.

4. SALP Cycle Length

All Commissioners concurred in the staff's recommendation to retain the current SALP cycle length.

5. Rising Performance Standards and Expectations

The Commission (with Chairman Carr and Commissioners Curtiss and Remick agreeing) disapproved the concept of rising performance standards as currently written. Commissioner Rogers approved of the staff's approach. If rising performance standards and expectations are incident to the SALP process, then such rising standards should manifest themselves in changes to the criteria and attributes, not as an adjunct to the process. The revised NRC Manual Chapter should be corrected to reflect this guidance. In addition, the staff should pursue further efforts to stabilize the rating criteria and attributes and increase uniformity of their interpretation and application from region to region.

6. Responsibilities of the Regional Administrator

All Commissioners concurred in the staff's recommendation for changes in the Manual Chapter to reflect the Regional Administrator's responsibilities.

7. Responsiveness to NRC Initiatives

All Commissioners approved the deletion of this evaluation criteria.

8. Composition of the SALP Board

All Commissioners concurred in the staff's recommendation to effect minor changes to the composition of the SALP Board.

9. SALP Report

The Commission concurred in the staff's recommendation to continue review of this area. Chairman Carr and Commissioner Curtiss encouraged the staff to seek ways to accelerate the SALP process and issue the final report in a more timely manner. In addition, Chairman Carr recommended a guideline or goal of 20 pages for the report length.

(EDO)

(SECY Suspense: 9/14/90)

Commissioner Curtiss requested that the staff evaluate the decision to combine maintenance and surveillance into a single functional category and report back to the Commission. This assessment should focus on whether the combining of maintenance and surveillance into a single functional category permits sufficient flexibility to address these two distinct categories of licensee performance.

(EDO)

(SECY Suspense: 9/28/90)

cc: Chairman Carr
Commissioner Rogers
Commissioner Curtiss
Commissioner Remick
OGC
GPA