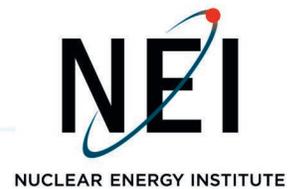


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March 18, 2021

Mr. David C. Cullison
Office of the Chief Information Officer
Mail Stop: T-6 A10M
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Information Collection: Voluntary Reporting of Performance Indicators [Docket NRC-2020-0185]

Project Number: 689

Dear Mr. Cullison:

By Federal Register announcement (86 FR 1544), dated January 8, 2021, the U. S. Nuclear Regulatory Commission (NRC) staff published a request for information regarding renewal of the Office of Management and Budget clearance for collection of information associated with the Voluntary Reporting of Performance Indicators. The Nuclear Energy Institute (NEI)¹ appreciates this opportunity to submit comments on behalf of NEI members.

Based on our survey of NEI members², it appears that the NRC is underestimating the true burden of performance indicator information collection. In the attachment, we explain that licensees must perform a host of activities beyond submitting the finished data to the NRC. These supporting activities apparently are not included in the NRC's estimate for submitting the data.

We welcome the opportunity to discuss this further with the NRC. We would suggest utilizing a future meeting of the ROP Working Group³ for that purpose.

¹ The Nuclear Energy Institute (NEI) is responsible for establishing unified policy on behalf of its members relating to matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues. NEI's members include entities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect and engineering firms, fuel cycle facilities, nuclear materials licensees, and other organizations involved in the nuclear energy industry.

² Survey conducted by Justin Wearne, PSEG loanee to NEI, between January 8 and March 1, 2021.

³ The ROP Working Group, comprised of members of the NRC staff from the Office of Nuclear Reactor Regulation and NEI's Reactor Oversight Process Task Force, meets approximately monthly to discuss current issues and questions arising from implementation of the ROP.

Mr. David C. Cullison

March 18, 2021

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If you have any questions in this matter, please contact me.

Sincerely,



James E. Slider

Attachment – NEI Comments on Performance Indicator Data Collection

Introduction

In the January 8, 2021, Federal Register Notice (86 FR 1544), the NRC staff requested feedback on the following four questions related to the burden of collecting performance indicator information and submitting it to the NRC. The performance indicator information is associated with the NRC's Reactor Oversight Process (ROP). The ROP is the NRC program comprised of performance indicators and NRC inspections which guides the application of NRC resources overseeing U.S. nuclear power reactors. The performance indicator data is submitted to the NRC by U.S. power reactor licensees in accordance with an NEI guidance document, NEI 99-02, "Regulatory Assessment Performance Indicator Guideline." The NEI responses to the four questions presented in the FRN follow.

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?

NEI Response: Yes, in our view the proposed collection of information is necessary for the NRC to perform its function as an independent regulator of U.S. nuclear power reactors using the Reactor Oversight Process. Yes, in our view the information has practical utility as an indispensable input to the Reactor Oversight Process.

2. Is the estimate of the burden of the information collection accurate?

NEI Response: No. The estimates of burden presented in the FRN appear not to consider the numerous tasks that support the performance indicator program but are not explicitly described in NEI 99-02. Examples of these supporting tasks include the following:

- a) **Redefining Trains:** Redefining trains⁴ in the Institute of Nuclear Power Operations (INPO) Industry Reporting and Information System (IRIS)⁵ system to support Unavailability Index (UAI) & Unreliability Index (URI) calculations for submittal to the NRC for the Mitigating System Performance Index (MSPI) performance indicator.

This infrequent activity is generally performed after the plant has completed a modification to improve MSPI margin and baseline core damage frequency (CDF) by installing an additional train. This needs to be done following installation in the plant and the quarter before the new probabilistic risk assessment (PRA) values are to be used in the MSPI calculation. This laborious exercise requires an individual fluent in IRIS as well as the cognizant engineer fully engaged for several days. This will also result in a change to the PRA values in IRIS. Revising those values is a demanding, non-routine task that requires diligence and attention to detail (i.e., time).

- b) **Changes to the Security PI:** Changes to the closed-circuit television (CCTV) and intrusion detection system (IDS) normalization factors must be made in accordance with a similar, though somewhat less laborious and challenging process. This is not a routine activity.
- c) **Reportability Evaluations:** Several times a year, a station will need to determine if an event or condition is reportable under an NEI 99-02 performance indicator. While these internal evaluations are most often associated with MSPI, several other indicators frequently reach this threshold, as well. Examples include the performance indicators for Unplanned Scrams per 7,000 Critical Hours (identified in NEI 99-02 as IE01); Unplanned Power Changes per 7,000 Critical Hours (IE03); and

⁴ As used in NEI 99-02, a "train" is a group of components that together provide the monitored (i.e., relevant) functions of the system that is the subject of the performance indicator.

⁵ The Industry Reporting and Information System is the data system through which nuclear power plant licensees manually submit raw data that is compiled and checked by INPO and prepared in the format required for submission to the NRC. After the licensee data file is processed by IRIS, the licensee formally submits the data file to the NRC.

Unplanned Scrams with Complications (IE04). These internal evaluations may require research into the history of previous discussions with the NRC on related Frequently Asked Questions (FAQs)⁶, management presentations, use of consultants, and industry peer reviews.

These could be needed up to a dozen times per station per year. Developing each position paper could take up to twenty hours. Industry experts could be engaged as well. This is generally followed by station, fleet and industry peer reviews and “challenge” meetings, each taking an hour with up to six reviewers at each challenge meeting.

- d) **Quarterly Submittals:** Performance indicator data is submitted to the NRC on a quarterly basis. The quarterly submittal requires raw data entry, independent review and approval of the entered data, data locking, and tracking the status of reports. For the current NRC request on the burden of the information collection, NEI surveyed members on the burden associated with this step and found there was a great variance in the burden experienced by NEI members. As best we can tell, the NRC estimate of 72,712 hours of industry burden noted in 86 FRN 2144 appears to reflect only the burden of the quarterly submittals to NRC.
- e) **PI Challenge Meetings:** Because the performance indicator data is subject to NRC requirements for accuracy and completeness (10 CFR 50.9), most stations conduct a performance indicator challenge meeting. These meetings typically involve the participation of multiple Data Stewards, their managers, and the site leadership team. Preparation for these meetings can take several hours to develop the necessary presentation packages and assure the quality of the planned submittal.
- f) **Data Steward Training:** Data Stewards are the individuals assigned responsibility for collecting the plant raw data needed for NEI 99-02 reporting. These individuals need training on NEI 99-02, approved FAQs, and the station process for collecting information and submitting it to the INPO IRIS system. Accuracy of information being submitted is a key part of this training. This training varies and can be as low as a few hours, or up to several days. Because of high turnover in the Data Steward positions in recent years, most stations are spending more resources in Data Steward training than when the NRC last updated its estimate of the information collection burden.
- g) **FAQ Submittals:** In recent years, the number of FAQs submitted by licensees has been small. Hence, for most licensees submitting an FAQ is an infrequent occurrence. When an FAQ submittal is being considered, the licensee will perform research similar to that described above for Reportability Evaluations. The review and challenge of a FAQ is similar to the Reportability Evaluations listed above. Therefore, the level of effort for an FAQ submittal is also similar to that described above. In addition to the burden that falls on the licensee submitting an FAQ, each FAQ creates a burden on the industry’s other licensees who participate in the NEI Reactor Oversight Process Task Force. The ROP Task Force serves as the industry’s authority for final review and approval of FAQs submitted to the NRC. The industry representatives who comprise the ROP Task Force typically spend about two days each month reviewing and commenting on materials pertaining to FAQs and monthly interactions with the NRC staff on changes in and issues arising from the ROP.

⁶ NEI 99-02 prescribes a Frequently Asked Questions or FAQ process through which industry and the NRC document, discuss, and resolve questions about interpretation of guidance in NEI 99-02. The result is preserved as so-called “approved” FAQs which are considered supplements to NEI 99-02 until they are incorporated into NEI 99-02 at the next periodic revision of the document. The entire body of “approved” FAQs is maintained in a permanent record of “archived” FAQs that is a valuable resource for determining the basis for the contents of NEI 99-02 and changes in the contents from its inception in the year 2000.

- h) **Approved FAQs:** As the performance indicator guidance document evolves through NRC-approved FAQs and revisions to NEI 99-02, licensees need to review those changes and ensure internal procedures are aligned and adequately communicated to internal stakeholders.

3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?

NEI Response: There is no need as the NRC-endorsed industry guidance document, NEI 99-02, adequately describes the information to be collected and provides a remedy if additional clarity is needed.

4. How can the burden of the information collection on respondents be minimized, including the use of automated collection techniques or other forms of information technology?

NEI Response: NEI encourages the MAP-X team of the NRC's Embark Venture Studio to include NEI 99-02 reporting in the scope of their efforts to develop web-based solutions to streamline industry reporting and to support the NRC's vision of "big data" being available. Of course, any such developments would have to be coordinated with industry and INPO.