

Best Available Information Decision Guide

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July 2024 ROP Public Meeting

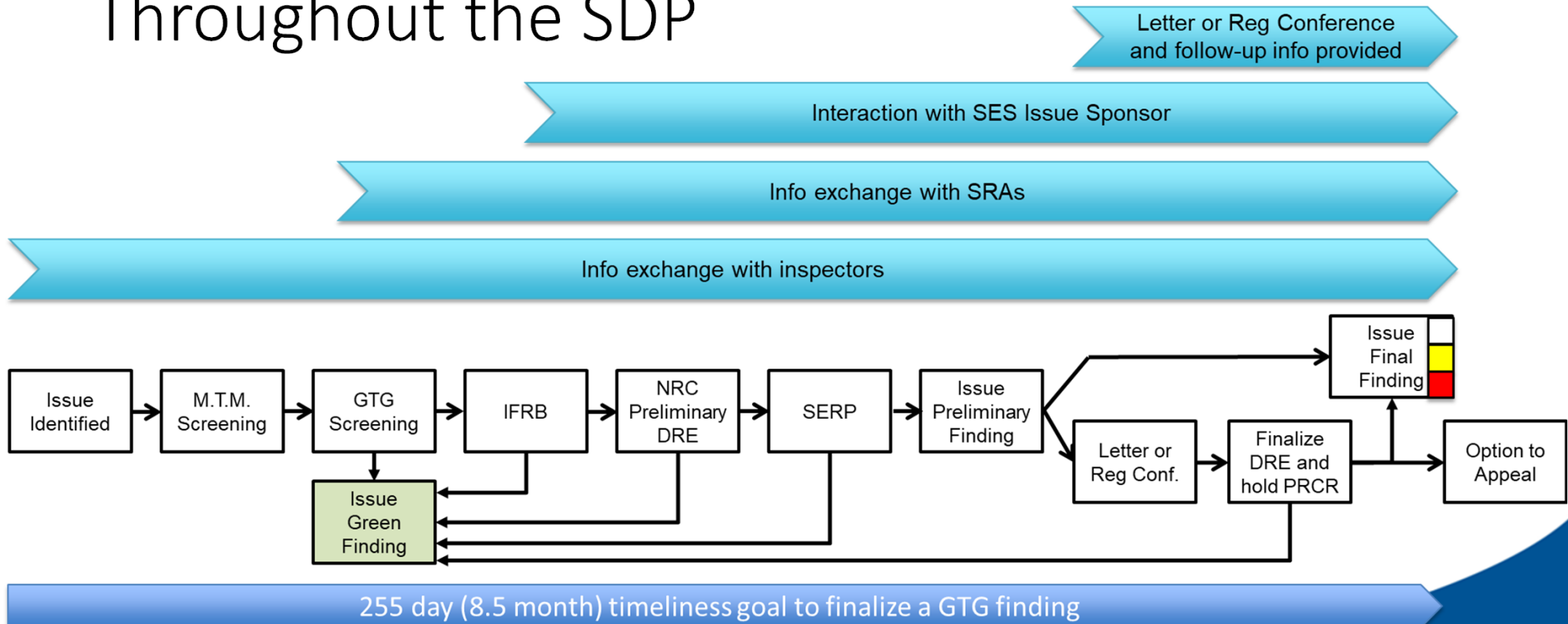
Why Develop a BAI Decision Guide?

- Effectiveness review of SDP timeliness in 2022 timeframe
 - Purpose to identify any potential enhancements to the SDP that could help improve the timeliness of findings
 - Timeliness matters due to regulatory uncertainty, inspection of corrective actions, maintain currently reflective assessment program, efficient use of resources
 - Report: [ML22335A003](#)
 - Recommendation 5: Reinforce existing program guidance on the use of best available information at each process stage in the SDP
- Current guidance in IMC 0609 is limited and limiting

Development of Guide

- Goal to improve quality of information exchange
- Not intended to change our process or restrict the flow of information
- Informed by recent experiences with considering information submitted during SDPs
- Keep guidance high-level and flexible to accommodate all situations and defer to case-specific judgment
- Considerations, not requirements, not all-encompassing
- Intended to frame the mindset around what makes information better or more applicable than the current state of knowledge
- One-page format that may be added as an IMC Exhibit

Best Available Information Considered Throughout the SDP



Best Available Information Decision Guide

IMC 0609 definition of best available information:

Information that is accessible, applicable, and ready for use at the time of the review to determine the safety significance of the inspection finding.

The case for timeliness:

SDPs must be completed in a timely manner to finalize preliminary decisions, remove regulatory uncertainty, inspect corrective actions, and to allow the operating reactor assessment program to include the finalized issue. It is also important to achieve a reasonable, realistic answer given resource and stakeholder perception impacts on licensees.

The SDP timeliness metric is not 100% by design. It may at times be appropriate to exceed timeliness goals.

Use of Best Available Information supports the Principles of Good Regulation

Independence	Openness	Efficiency	Clarity	Reliability
Independent tools, assessment, conclusion	Transparent process and decision-making	Execute process with minimal necessary resources and time	Sound basis, clearly understood outcome and follow-up	Consistent and established process and outcome

New information developed, acquired, identified, etc. must be reviewed to determine if it is best available relative to the current state of knowledge. It is important to be mindful of decision-making error traps, such as seeking out or giving disproportionate weight to information that supports an existing or desired point of view.

Source of Information

Does the information come from a technically qualified and credible source?
What process was used to develop/acquire, review, and approve the information?

Quality of Information

Are limitations, sensitivities, uncertainties, and other appropriate qualifiers of the information fully described?
Compared to the current state of knowledge, is the new information more meaningful and applicable to the issue and is it of comparable or better quality?

NRC owns the SDP process and the decision on best available information, but whether both NRC and licensee technical and risk experts see the information as realistic, applicable, and reasonable should be considered.

Licensees may elect to conduct tests and submit results. This is exclusively a decision on the part of a licensee as the SDP is not designed to require or encourage any specific actions such as testing. Was the test sufficiently representative of the degraded condition, is uncertainty and sensitivity information provided, and can the information be shown to be more credible and reliable than existing information?

Would the information withstand the process scrutiny of incorporation into the licensing basis or a PRA peer-review?
This is not to imply that the information must be permanently adopted or formally peer-reviewed, and it need not actually undergo such processes to be considered best-available, but it should be of comparable quality.

Value of Information

The purpose of the SDP is to assess the risk impact of a performance deficiency – is the new information related to the performance deficiency/degraded condition, or is it associated with unrelated PRA model changes?

Does the new information help to address overall uncertainties in the SDP outcome?

The balance between achieving a reasonable answer in a timely manner necessitates that staff move forward once there is confidence that the current finding color is a reasonable, supportable answer. Staff should consider whether new information is likely to change the existing SDP outcome and should also consider how much time and effort is required to obtain and review the new information. When balancing the potential value of additional information against SDP timeliness, staff may consider that the consequence of Yellow and Red findings is much higher than White, and thus may warrant some additional effort to ensure the color is appropriate.

The concept of best available information depends on the circumstances of each specific case and staff will need to weigh the merits of specific information at issue against the totality of information available. This is neither a required nor all-encompassing list of criteria but is offered to help frame the concept of best available information. While it is often true that newer or plant-specific information is better or more relevant information, the mere presence of information or the fact that information is newer or plant-specific vs generic does not automatically indicate that it is best available.

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- Maintain existing overall process
- Considerations, not requirements, and not all-encompassing
- Flexible to accommodate different situations
- Improve quality of information exchange

Questions and Discussion

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