POLICY ISSUE
NOTATION VOTE

RESPONSE SHEET

TO: Carrie M. Safford, Secretary

FROM: Commissioner Crowell

SUBJECT: SECY-26-0014: Recommendations to Revise the Reactor Oversight Process Baseline Inspection Program

Approved X **Disapproved** ____ **Abstain** ____ **Not Participating** ____

COMMENTS: **Below** ____ **Attached** X **None** ____

BRADLEY CROWELL

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Signature

Entered in STAR

Yes X

No ____

Commissioner Crowell's Comments on SECY-26-0014, "Recommendations to Revise the Reactor Oversight Process Baseline Inspection Program"

The Reactor Oversight Process (ROP), the NRC's program to inspect and assess the safety and security performance of operating commercial nuclear power plants, serves as a foundational component of the NRC's oversight responsibilities, helping ensure the continued safe and secure operation of our nation's nuclear reactor fleet. The NRC established the ROP over 25 years ago and has made notable updates to the program over time. Major updates were implemented in response to safety- and security-related events including the terrorist attacks of September 11, 2001, which resulted in a significant re-evaluation of inspection needs under the ROP security cornerstone, as well as major safety-related enhancements following the 2011 earthquake and tsunami which devastated Japan's Fukushima Dai-ichi nuclear power plant. In addition to these well-known inflection points, it is also important to note that more routine indicators of fleet-wide reactor safety performance[1] have continued to improve under the ROP since its inception, including unplanned scrams and collective radiation dose. As the NRC looks to review and refresh the ROP again now via a Commission decision on this SECY, it is important to look holistically at both the successes and shortcomings of the ROP over its 25+ year lifetime. This holistic assessment must also be conducted in context with other modernization and efficiency efforts currently underway at the NRC, including a major reorganization of the agency.[2]

There is an adage for new NRC inspectors to, "expect what you inspect." In practice, this means that an effective ROP must, at a minimum, continue to verify that inspection findings are identified, addressed and maintained. This is a simple, yet critical, philosophy for any successful inspection regime, and one we must ensure is upheld in our collective effort to streamline the ROP without undermining the obvious efficacy of the program with respect to reactor performance. Industry excellence and assessment activities, such as those conducted by the Institute of Nuclear Power Operations, provide valuable insights including identifying recommendations for improved plant performance. These efforts should most appropriately be viewed as complementary to the ROP and not as a replacement for the independent oversight of reactor safety and security performance conducted by the NRC's world-class inspection experts.

The changes proposed in this paper, prompted by the ADVANCE Act[3] and subsequent administration direction, taken together with the ROP changes already approved by the

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[1] Operating events during the early life of the ROP, including the steam generator tube rupture at Indian Point in 2001, the reactor vessel head degradation at Davis Besse in 2002, and other significant performance deficiencies identified in the mid-to-late 2000s demonstrated that even with a mature industry, individual licensees are susceptible to performance issues.

[2] NRC Press Release 26-017, "NRC Major Reorganization Supports Efficiency, Innovation," February 4, 2026.

[3] Accelerating Deployment of Versatile, Advanced Nuclear for Clean Energy Act of 2024 (ADVANCE Act).

Commission earlier this year,[4] are a reflection of the knowledge, experience, expertise, and intellectual depth that staff bring to the table when given the opportunity to consider meaningful change without compromising safety—first and foremost—or the purpose, integrity, and established success of the oversight program.

I was therefore encouraged last year when the Commission received SECY-25-0045 which noted that staff planned to perform a comprehensive review of ROP performance indicators as a step toward a contemporary, data-driven approach to realigning the agency's inspection program. Specifically, I saw this as an excellent opportunity to align, at least at a high level, with a comprehensive, technology-neutral oversight approach that could be applied to the existing fleet as well as new reactor designs anticipated to begin operations over the next decade. I was disappointed to learn that this common-sense approach has been discontinued in favor of the recommendations advanced in in this paper (SECY-26-0014). I believe this is a missed opportunity.

The lack of a comprehensive review notwithstanding, this recrafted ROP proposal demonstrates an understanding by staff of the need to maintain a flexible program that can adapt to the widespread implementation of plant modifications, emerging threats, and advances in information technology that have been embraced by the industry and potential new applicants. This flexibility is a trait that was initially built into the ROP, and staff should take advantage of recent changes to the ROP's governing framework to respond nimbly to early indications that course corrections are needed.

Somewhat misleadingly, this paper implies that baseline ROP inspection resources have remained relatively constant since the program was first implemented. This overly simplistic analysis ignores the more complex reality where baseline inspection resources peaked more than 15 percent above the referenced values,[5] and have since been brought back down. Nevertheless, there is always room for recognizing and implementing new efficiencies for agency reactor inspection and oversight programs. But in doing so, the devil will be in the details. As former NRC Chair, Stephen Burns, recently articulated, while updates to the ROP are needed, the NRC should carefully consider implementation and changes to reactor oversight.

Resident Inspector Baseline Inspection Procedures

I approve the staff's proposal to re-organize the resident inspector baseline inspection procedures. In doing so, I applaud the effort and thought by staff that went into identifying ways to allow more flexibility in the allocation of finite inspection resources to the inspectors who have the best understanding of the strengths, weaknesses, and vulnerabilities at their site(s) at any given point in time.

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[4] SECY-25-0045, "Recommendations for Revising the Reactor Oversight Process," June 20, 2025, ADAMS Accession Number ML25127A212, and SRM-SECY-25-0045, January 26, 2026, ADAMS ML26026A351.

[5] The paper states, "Upon the inception of the ROP on April 1, 2000, the baseline inspection program nominally required approximately 2,165 inspection hours per reactor site annually, ensuring a consistent and risk-informed level of oversight across the U.S. fleet. Currently, the NRC's baseline inspection program requires 2,012 annualized inspection hours per reactor site." The number of baseline inspection hours per reactor site initially rose from original estimates and peaked near 2,400 hours from 2007-2012, more than 15% higher than what the current program requires.

Likewise, I approve the reorganization of the inspection procedures under the radiation protection program and the emergency preparedness program. The new organization of the radiation safety procedures in particular is to be commended for taking a holistic view of the program to logically re-align inspection procedures.

I also approve the changes to the more-than-minor screening process. This threshold has presented challenges for consistent, objective ROP implementation from its beginning. Significant resources have been expended to update, clarify, “table-top”, survey, and train to achieve better results. While these efforts have shown some short-term success, the current approach continues to pose challenges. The proposed incorporation of more-than-minor screening into the significance determination process helpfully updates the program from using deterministic criteria to utilizing an even more risk-informed, performance-based approach that will foster a cleaner process that more efficiently dispositions issues of concern that inspectors identify.

Problem Identification and Resolution

I find the justification by staff proposing to eliminate the Problem Identification and Resolution (PI&R) team inspection under Inspection Procedure (IP) 71152[6] problematic. While it may be true that none of the findings from the team inspection in the past ten years were White findings,[7] this misrepresents the purpose of this team inspection. As stated in Inspection Manual Chapter 0308, *Reactor Oversight Process Basis Document*,[8] “A fundamental goal of the NRC's reactor inspection and assessment process is to establish confidence that each licensee is detecting and correcting problems in a manner that limits the risk to members of the public.” The PI&R team inspection provides a programmatic review and assessment of the health of licensee programs for problem identification and resolution. If these are functioning as intended, mechanisms are already in place for the licensee to identify and resolve other emergent issues, programmatic or otherwise, before significant concerns arise.

The change in the more-than-minor screening process means that some not-yet-known fraction of performance deficiencies that used to be documented in inspection reports will now only appear in the licensee Corrective Action Program (CAP). As noted in a staff differing view associated with this paper, the combined changes to more-than-minor screening and elimination of the PI&R team inspection would represent a major departure from the ROP’s graduated oversight model, leaving a vulnerability where performance issues are not noted and addressed before they result in more significant issues. Going forward it will be more important than ever to have a touchpoint with

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[6] Inspection Procedure (IP) 71152, “Problem Identification and Resolution,” October 21, 2023, ADAMS ML23214A284.

[7] An inspection finding is an issue of concern that is evaluated under the inspection finding screening process of Inspection Manual Chapter (IMC) 0612 App. B (ML25086A249) to be a performance deficiency on the part of the licensee and to have more-than-minor significance. The significance of an inspection finding is determined through the Significance Determination Process (SDP) described in IMC 0609 (ML24257A157). The vast majority of inspection findings in any year are Green, which is considered to be of very low safety significance. A White inspection finding is defined as a finding that has low safety significance.

[8] Inspection Manual Chapter 0308, “Reactor Oversight Process Basis Document,” December 12, 2024, ML24269A231.

licensee CAPs beyond just the resident inspector office to understand the types of events that are no longer screening to more-than-minor, and to help ensure consistency across sites.

However, I also acknowledge that the PI&R team inspection program has suffered from excessive scope creep in the past, as lessons learned from significant (and less significant) industry events and NRC effectiveness reviews have been added to the procedure in lieu of more targeted corrections. Additionally, the review of audits, self-assessments, safety conscious work environment, and the application of operating experience may be able to be folded into the annual resident samples, as discussed in the staff proposal.

The core aspect of PI&R assessment of the licensee CAP however, is important as a baseline team inspection performed by inspectors ***not*** assigned to that site, to provide objective assessment of the licensee's use of the CAP to identify and resolve issues. Therefore, I support the proposal from Commissioners Wright and Weaver that staff should maintain the PI&R team inspection consistent with the third option described in Enclosure 2 to this paper: maintain the PI&R team inspection, shift to a triennial frequency, reduce the team size by two members, and narrow the scope to the licensee CAP. This triennial cycle would be consistent with what is being proposed for radiation protection, force-on-force, and cybersecurity inspections.[9]

Engineering Inspections

The other inspections intended to identify performance issues before they become more significant problems are engineering inspections. It is essential that the ROP maintains an annual engineering touchpoint. Qualified regional inspectors with subject matter expertise add value by helping resolve issues identified by resident inspectors and also with onsite reviews and assessment of licensee engineering performance. The most recent cycle of engineering inspection changes was implemented only a few years ago in 2023, and now new changes are being proposed before the effectiveness of the current program has been adequately reviewed. It is possible that forthcoming changes to NRC regulations pursuant to recent Executive Orders will make NRC inspection reviews of plant modifications even more essential for ensuring a continued, mutual understanding of the plant licensing basis. Nonetheless, the proposed changes to the engineering inspection program present a thoughtful approach to identify samples in a targeted, risk-informed manner. Therefore, I approve the staff's recommendation for engineering inspection changes. However, no further reductions, including changes from the annual inspection frequency, should be implemented without a thorough effectiveness review of this proposed program, including verification of CAP treatment of engineering, design, and modification issues that will no longer reach the threshold for a Green inspection finding given the changes to the more-than-minor threshold.

[9] SECY-26-0015, "Recommendations for Revising the Security Baseline Inspection Program Including the Force-on-Force Inspection Program," February 3, 2026, ML25279A191.

Looking Ahead

It is essential that as the staff implements these proposed ROP changes concurrent with the ongoing agency re-organization, the critical skills, experience, and subject matter expertise among current NRC inspectors writ large remain available to support the oversight program and to flex resources when licensee performance requires it. The knowledge and experience of NRC inspectors have evolved into a vital component of public engagement and played a significant role in sustaining and building community-level confidence in supporting nuclear power. This is essential for our existing fleet of reactors and also sets the table for the emerging wave of new reactor licensing. Likewise, NRC licensing project managers and technical reviewers have demonstrated dedication and mastery of their subjects as they were heavily relied upon for significant, critical work this past year even as the agency experienced historically high attrition. In my view, these roles are not necessarily fungible and cannot be easily filled with time-limited focused training.

In my time at the NRC, I have seen the agency make similar fungibility arguments, typically in corporate support, to the detriment of the agency writ large. To make similar fungibility assumptions in critical technical areas such as inspection and licensing would be a disservice to the staff, to applicants, to licensees, and to the public. Staff should ensure that qualified inspection staff have opportunities to maintain a touchpoint in the inspection program, if desired, to ensure the agency's continued ability to demonstrate reasonable assurance of adequate protection, particularly now when the shifting regulatory framework may seed doubt in the minds of the public whose interests the NRC is ultimately responsible for protecting.

It is imperative that the NRC understand the overall impact of the ROP changes that are ultimately approved by the Commission and assess whether the cumulative effects of these manifold changes result in unintended consequences. Such consequences would be directly detrimental to the ROP's purpose of verifying the continued safe operation of commercial nuclear power plants, particularly in the current evolving regulatory environment. Staff should provide a Commissioners' Assistants note to the Commission by the end of calendar year (CY) 2026 outlining how the impacts of these changes, as well as those described in SECY-25-0045, will be assessed, including indicators that will be used in the assessment and examples of criteria that would be an indication that the aggregated changes had a negative impact on oversight effectiveness.

The proposed approach to the more-than-minor screening process will, in practice, result in a significant change to the threshold for documenting inspection findings. Staff should maintain a real-time understanding of the impact of the changes to the more-than-minor threshold to quickly adjust the criteria when implementation challenges are identified by inspectors. This should continue at least until a short-term effectiveness evaluation is completed, but no later than the end of CY2027, with the results of the review communicated to the Commission as part of the CY2027 ROP Self-Assessment paper to the Commission in the first half of CY2028.

Staff should also perform a longer-term effectiveness review of the changes to the more-than-minor screening process and the overall reduction in oversight resources. The review of the more-than-minor changes should verify the adequacy of the threshold

and the consistency of its application based on review of both documented inspection findings and results of PI&R team inspection feedback of licensee CAP treatment of issues that are now considered minor. The review should also consider whether, given changes to the regulatory framework that might be implemented in the meantime, the reduced inspection footprint remains adequate. The results of this effectiveness review should also be communicated to the Commission via the annual ROP Self-Assessment paper following completion of the review.

Lessons learned from the 1979 Three Mile Island accident noted, as an underlying cause, that the NRC became too preoccupied with licensing new plants and failed to give sufficient attention to the operation of plants that were already licensed.[10] Fast forwarding to the present, the NRC's and industry's focus and resources are being drawn once again to licensing new facilities—this time, including new advanced reactor technologies. It is essential to remember these lessons and ensure that changes to the oversight program do not cut too far into the foundation of safety and security assurance that the agency is responsible for ensuring and that the public expects. There is nothing that will cause a more sudden halt to the licensing work before the agency right now than a significant event or major performance issue in the operating fleet that could have been prevented.

[10] See e.g., *The President's Commission on the Accident at TMI*, October 30, 1979, ML19308A726 or NUREG-0585, *TMI-2 Lessons Learned Task Force Final Report,* October 31, 1979, ML061430367