



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION IV  
611 RYAN PLAZA DRIVE, SUITE 400  
ARLINGTON, TEXAS 76011-8064**

June 7, 2000

MEMORANDUM TO: Ellis W. Merschoff, Regional Administrator

FROM: Howard F. Bundy, Senior Operations Engineer /RAI  
Gary W. Johnston, Senior Operations Engineer /RAI  
Michael E. Murphy, Senior Operations Engineer /RAI  
Stephen F. McCrory, Senior Operations Engineer /RAI  
Thomas F. Stetka, Senior Operations Engineer /RAI

SUBJECT: DIFFERING PROFESSIONAL VIEW CONCERNING THE  
FREQUENCY OF PROBLEM IDENTIFICATION AND RESOLUTION  
INSPECTIONS

This is in response to your memorandum of May 31, 2000, which responded to the subject Differing Professional View (DPV). We feel that your response does not adequately address our principal concern, specifically - imposing unnecessary regulatory burden on our power reactor licensees by increasing the frequency of the problem identification and resolution (PI&R) inspections performed in accordance with Inspection Procedure 71152 to an annual inspection. We appreciate your work in responding to this DPV, as well as, the work of the panel in formulating its recommendations. However, we would like to provide additional information on some issues, which both you and the panel raised.

Your belief that the revised inspection program provides a net reduction in regulatory burden is controversial and remains to be seen. Several of the licensees surveyed, believed that their resource requirements will increase. In either case, it is not directly related to our concern. Pursuant to the strategic plan, we should be actively and continually seeking ways to reduce unnecessary regulatory burden.

We appreciate the thorough analysis and insightful observations of the panel. In most instances, we agree with their observations. However, we do not completely agree with the clarifications to the first observation in the memorandum of May 16, 2000. Specifically, they concluded that the corrective action work previously performed by the resident inspectors pursuant to Inspection Procedure (IP) 71701 counterbalanced the corrective action work now being performed pursuant to the new baseline procedures. We believe that more corrective action issue inspections are performed in the new oversight program because essentially all inspectors are tasked with devoting 10 to 15 percent of their inspection effort to IP 71152. In addition, the resident inspectors also perform corrective action inspections in accordance with IP 71152, as a part of their plant status reviews, even though this effort is no longer being counted as inspection effort. The new corrective action inspection required by IP 71152 is more rigorous than that previously required by IP 71707. Although a direct comparison of inspection hours is not possible, we believe the increased emphasis on routine inspection of corrective action issues should justify decreasing the frequency of the periodic PI&R inspections.

With regard to the current program office plans, we do not believe it is appropriate to study the impact of the increased frequency of PI&R inspections for a year without clear evaluation criteria. We believe we have submitted ample evidence to suggest that one cannot expect an appreciable safety benefit by increasing the frequency of the PI&R inspections. We continue to believe that for many licensees the increased resource commitment for supporting these PI&R inspections will be diverted from addressing existing safety issues.

We hereby request that the issue involving the frequency of the PI&R inspections, discussed in our DPV and the panel's recommendations, together with the above clarifications, be further reviewed by the executive director for operations in accordance with Handbook 10.159. Also, pursuant to Handbook 10.159, we request that all records related to this DPV be made available to the public.

cc:

Karla D. Smith  
Charles Marschall  
Kriss Kennedy  
Michael Runyan