



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION II  
SAM NUNN ATLANTA FEDERAL CENTER  
61 FORSYTH STREET SW SUITE 23T85  
ATLANTA, GEORGIA 30303-8931

Mr. C. Edward Kube, Jr.  
Director, Louisa County  
Emergency Services  
26 Lakewood Landing Drive  
Bumpass, VA 23024

July 27, 2000

Dear Mr. Kube, Jr:

The U. S. Nuclear Regulatory Commission (NRC) recently revised its reactor inspection and oversight program. These revisions change the manner in which we conduct safety inspections and assess performance at NRC-licensed nuclear power plants, such as the North Anna Power Station located in Mineral, Virginia.

We recently completed a six-month pilot test of the revised program at selected facilities and concluded that the revised process is more objective, timely, and focuses us on the areas of greatest risk and safety significance. In April, the NRC applied this process to all operating nuclear power reactors (with the exception of the D. C. Cook plants, due to their extended shutdown). We believe this process will allow the NRC to maintain safety, improve efficiency, and reduce unnecessary regulatory burden on licensed activities. These improvements will also ensure that the nuclear industry continues to operate in a way that best protects public health and safety.

An important feature of the new process is that you, through the NRC Web site, will have access to the same information we use in our quarterly assessment of plant performance. This information may be accessed at <http://www.nrc.gov/NRR/OVERSIGHT>.

Enclosed is a news release announcing a public meeting to discuss the new program. The meeting will be at 6:30 p.m. on August 10, 2000, at the Louisa County Library in the Public Meeting Room located at 22 Bus Garage Road (Next To Louisa County High School - Route 522) Louisa, Virginia 23093

I am inviting you and other members of your organization to attend if you are interested in learning more about the revised process. We have also enclosed additional information describing the new reactor inspection and oversight program.

Sincerely,

/RA/

Robert C. Haag, Chief  
Reactor Projects Branch 5  
Division of Reactor Projects

Enclosures: As stated

Mr. Michael E. Schlemmer  
Louisa County Emergency  
Services Coordinator  
P. O. Box 160  
Louisa, VA 23093

July 27, 2000

Dear Mr. Schlemmer:

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Sincerely,

/RA/

Robert C. Haag, Chief  
Reactor Projects Branch 5  
Division of Reactor Projects

Enclosures: As stated

Mr. R. Duff Green  
Coordinator, Orange County  
Emergency Services  
P. O. Box 111  
Orange, VA 22980

July 27, 2000

Dear Mr. Green:

The U. S. Nuclear Regulatory Commission (NRC) recently revised its reactor inspection and oversight program. These revisions change the manner in which we conduct safety inspections and assess performance at NRC-licensed nuclear power plants, such as the North Anna Power Station located in Mineral, Virginia.

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Sincerely,

/RA/

Robert C. Haag, Chief  
Reactor Projects Branch 5  
Division of Reactor Projects

Enclosures: As stated

Mr. Sonny Dodson  
Director, Orange County  
Emergency Services  
11331 Fairmont Street  
Orange, VA 22960

July 27, 2000

Dear Mr. Dodson:

The U. S. Nuclear Regulatory Commission (NRC) recently revised its reactor inspection and oversight program. These revisions change the manner in which we conduct safety inspections and assess performance at NRC-licensed nuclear power plants, such as the North Anna Power Station located in Mineral, Virginia.

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Sincerely,

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Robert C. Haag, Chief  
Reactor Projects Branch 5  
Division of Reactor Projects

Enclosures: As stated

Mr. Kimball Payne  
Director, Spotsylvania County  
Emergency Services  
P. O. Box 99  
Spotsylvania, VA 22553

July 27, 2000

Dear Mr. Payne:

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Sincerely,

/RA/

Robert C. Haag, Chief  
Reactor Projects Branch 5  
Division of Reactor Projects

Enclosures: As stated

Captain Douglas P. Boggs  
Spotsylvania County Emergency  
Services Coordinator  
P. O. Box 818  
Spotsylvania, VA 22553

July 27, 2000

Dear Captain Boggs:

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Sincerely,

/RA/

Robert C. Haag, Chief  
Reactor Projects Branch 5  
Division of Reactor Projects

Enclosures: As stated

Mr. Floyd W. Thomas  
Chairman, Caroline County  
Board of Supervisors  
P. O. Box 964  
Bowling Green, VA 22427

July 27, 2000

Dear Mr. Thomas:

The U. S. Nuclear Regulatory Commission (NRC) recently revised its reactor inspection and oversight program. These revisions change the manner in which we conduct safety inspections and assess performance at NRC-licensed nuclear power plants, such as the North Anna Power Station located in Mineral, Virginia.

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Sincerely,

/RA/

Robert C. Haag, Chief  
Reactor Projects Branch 5  
Division of Reactor Projects

Enclosures: As stated

Mr. Percy C. Ashcraft  
Director, Caroline County  
Emergency Services  
P. O. Box 447  
Bowling Green, VA 22427

July 27, 2000

Dear Mr. Ashcraft:

The U. S. Nuclear Regulatory Commission (NRC) recently revised its reactor inspection and oversight program. These revisions change the manner in which we conduct safety inspections and assess performance at NRC-licensed nuclear power plants, such as the North Anna Power Station located in Mineral, Virginia.

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Sincerely,

/RA/

Robert C. Haag, Chief  
Reactor Projects Branch 5  
Division of Reactor Projects

Enclosures: As stated



Mr. Thomas R. Nevetral  
Caroline County Emergency  
Services Coordinator  
P. O. Box 447  
Bowling Green, VA 22427

July 27, 2000

Dear Mr. Nevetral:

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Sincerely,

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Robert C. Haag, Chief  
Reactor Projects Branch 5  
Division of Reactor Projects

Enclosures: As stated

Mr. Jack Ward  
Chairman, Hanover County  
Board of Supervisors  
P. O. Box 470  
Hanover, VA 23069

July 27, 2000

Dear Mr. Ward:

The U. S. Nuclear Regulatory Commission (NRC) recently revised its reactor inspection and oversight program. These revisions change the manner in which we conduct safety inspections and assess performance at NRC-licensed nuclear power plants, such as the North Anna Power Station located in Mineral, Virginia.

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Sincerely,

/RA/

Robert C. Haag, Chief  
Reactor Projects Branch 5  
Division of Reactor Projects

Enclosures: As stated

Chief Michael Harman  
Hanover County Emergency  
Services Coordinator  
P. O. Box 470  
Hanover, VA 23069

July 27, 2000

Dear Chief Harman:

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Robert C. Haag, Chief  
Reactor Projects Branch 5  
Division of Reactor Projects

Enclosures: As stated

Mr. F. Kevin Koob  
Chairperson, Regional Assistance  
Committee  
Federal Emergency Management Agency  
Region III  
615 Chestnut Street, 6<sup>th</sup> Floor  
Philadelphia, PA 19106

July 27, 2000

Dear Mr. Koob:

The U. S. Nuclear Regulatory Commission (NRC) recently revised its reactor inspection and oversight program. These revisions change the manner in which we conduct safety inspections and assess performance at NRC-licensed nuclear power plants, such as the North Anna Power Station located in Mineral, Virginia.

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Robert C. Haag, Chief  
Reactor Projects Branch 5  
Division of Reactor Projects

Enclosures: As stated

Mr. Leslie P. Foldesi, Director  
Bureau of Radiological Health  
Division of Health Hazards Control  
Department of Health  
Main Street Station  
1500 East Main, Room 104  
Richmond, VA 23219

July 27, 2000

Dear Mr. Foldesi:

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/RA/

Robert C. Haag, Chief  
Reactor Projects Branch 5  
Division of Reactor Projects

Enclosures: As stated

Mr. Michael M. Cline  
Coordinator, Commonwealth of Virginia  
Department of Emergency Services  
10501 Trade Court  
Richmond, VA 23236

July 27, 2000

Dear Mr. Cline:

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Sincerely,

/RA/

Robert C. Haag, Chief  
Reactor Projects Branch 5  
Division of Reactor Projects

Enclosures: As stated

Mr. D. A. Heacock, Site Vice President      July 27, 2000  
North Anna Power Station  
P. O. Box 402  
Mineral, VA 23117

Dear Mr. Heacock:

The U. S. Nuclear Regulatory Commission (NRC) recently revised its reactor inspection and oversight program. These revisions change the manner in which we conduct safety inspections and assess performance at NRC-licensed nuclear power plants, such as the North Anna Power Station located in Mineral, Virginia.

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/RA/

Robert C. Haag, Chief  
Reactor Projects Branch 5  
Division of Reactor Projects

Enclosures: As stated

Mr. C. Lee Lintecum  
County Administrator  
P. O. Box 160  
Louisa, VA 23093

July 27, 2000

Dear Mr. Lintecum:

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/RA/

Robert C. Haag, Chief  
Reactor Projects Branch 5  
Division of Reactor Projects

Enclosures: As stated





# ***NRC NEWS***

**UNITED STATES NUCLEAR REGULATORY COMMISSION  
OFFICE OF PUBLIC AFFAIRS, REGION II  
61 Forsyth Street SW, Atlanta GA 30303  
Web Site: [www.nrc.gov/OPA](http://www.nrc.gov/OPA)**

No. II-00-50

July 18, 2000

CONTACT: Ken Clark (404)562-4416/e-mail: [kmc2@nrc.gov](mailto:kmc2@nrc.gov)  
Roger D. Hannah (404)562-4417/e-mail: [rdh1@nrc.gov](mailto:rdh1@nrc.gov)

## **NRC TO HOLD PUBLIC MEETING NEAR NORTH ANNA PLANT ON CHANGES IN REACTOR OVERSIGHT**

The Nuclear Regulatory Commission has scheduled a public meeting for Thursday, August 10 to discuss the new reactor oversight process which began at Virginia Power's North Anna nuclear power plant, near Mineral, Virginia, in April.

The meeting will begin at 6:30 p.m. EDT in the Public Meeting Room of the Louisa County Library located at 22 Bus Garage Road (Route 522, next to Louisa County High School), and members of the public will have the opportunity to ask questions during the meeting.

The new oversight process uses more objective, timely, and safety-significant criteria in assessing performance, while seeking to more effectively and efficiently regulate the industry. Under the new process, inspections by NRC resident inspectors and regional office-based personnel are supplemented by statistical measures of plant activities called performance indicators. These performance indicators measure important safety aspects of plant operations, including the viability of redundant safety systems, emergency planning, radiation protection, and security measures.

Inspection findings and performance indicators for each nuclear power plant are posted on the NRC's web site every three months. The safety significance of each inspection finding or performance indicator is characterized by a color -- green, white, yellow, or red.

The NRC response to the inspection findings and performance indicators will be based on the significance of the items. A green finding receives normal NRC oversight, while white, yellow, or red assessments receive increasing NRC involvement. Multiple red findings could result in a plant shutdown.

A plain language summary of the reactor oversight process is available from the NRC Office of Public Affairs or on the web site at: [www.nrc.gov/OPA/primer.htm](http://www.nrc.gov/OPA/primer.htm).

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Enclosure 1

# NRC Reactor Oversight Process

The Nuclear Regulatory Commission has revamped its inspection, assessment, and enforcement programs for commercial nuclear power plants. The new oversight process uses more objective, timely, and safety-significant criteria in assessing performance, while seeking to more effectively and efficiently regulate the industry. It also takes into account improvements in the performance of the nuclear industry over the past twenty years.

The NRC tested the new program at thirteen reactors at nine sites across the country on a pilot basis in 1999 to identify what things worked well and what improvements were called for before beginning initial implementation at all nuclear power plants. After a year of experience has been gained with the new oversight process at all plants, the Commission anticipates making further improvements based on this wider experience.

The impetus behind this comprehensive change in approach came both from the NRC's own fundamental reviews of its regulatory program as part of the "reinventing government" process and from concerns expressed by public interest groups, the nuclear industry, and Congress.

The NRC's mission is to ensure adequate protection of public health and safety as it relates to the peaceful uses of nuclear materials in the United States. The agency does not operate nuclear power plants. Rather it regulates the safe operation of the 103 commercial nuclear power plants by mandating requirements for the design, construction and operation of such plants. The NRC conducts a rigorous process for licensing plants to allow them to operate, as well as licensing individual plant operators. The agency provides continuous oversight of plant operations to verify they are being conducted in accordance with regulations.

The NRC also establishes plant specific technical specifications which must be followed by the plant operators to ensure that the proper combination of safety related equipment is available to safely shut down the plant in the event of an accident. The NRC has full authority to take whatever action is necessary to protect public health and safety and may demand immediate licensee actions, up to and including a plant shutdown.

The commercial nuclear power industry in the United States is a mature industry. Most of the plants have been operating for more than 10 years, and half of them have operated for more than 20 years. All the evidence suggests that the safety and reliability of the nuclear industry has improved markedly since the late 1980's and early 1990s. The number of automatic shutdowns, the number of significant safety problems, and the number of unplanned outages caused by equipment problems have all decreased. (See Glossary for definitions of terms).

The improvements in plant performance can be attributed both to efforts within the nuclear industry and to successful regulatory oversight. Despite this success, the NRC has noted that previous processes for inspection, assessment, and enforcement were not always focused on the most important safety issues. In some situations, regulatory activities have been redundant or inefficient and, at times, overly subjective. NRC actions were not always sufficiently understandable or predictable.

To address these concerns, the new oversight program calls for:

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- ☐ Focusing inspections on activities where the potential risks are greater

- ❑ Applying greater regulatory attention to nuclear power plants with performance problems, while maintaining a normal level of regulatory attention on facilities that perform well
- ❑ Using objective measurements of the performance of nuclear power plants
- ❑ Giving both the public and the nuclear industry timely and understandable assessments of plant performance
- ❑ Reducing unnecessary regulatory burden on nuclear facilities
- ❑ Responding to violations of regulations in a predictable and consistent manner that reflects the potential safety impact of the violations

The key features of the program deal with new methods for inspecting and assessing performance to ensure safe operation. It spells out more clearly what a nuclear plant operator can expect from the NRC with good plant performance and what can be expected from the NRC if performance declines.

## Setting the Cornerstones of Safe Operation

The new reactor oversight program is, of course, anchored in the NRC's mission to ensure public health and safety in the operation of commercial power plants. That will always remain the agency's overarching responsibility.

The objective is to monitor performance in three broad areas -- reactor safety (avoiding accidents and reducing the consequences of accidents if they occur); radiation safety for both plant workers and the public during routine operations; and protection of the plant against sabotage or other security threats.

To measure plant performance, the oversight program focuses on seven specific "cornerstones" which support the safety of plant operations in the three broad strategic areas.

**Initiating Events** - This cornerstone focuses on operations and events at a nuclear plant that could lead to a possible accident, if plant safety systems did not intervene. These events could include equipment failures leading to a plant shutdown, shutdowns with unexpected complications, or large changes in the plant's power output.

**Mitigating Systems** - This cornerstone measures the function of safety systems designed to prevent an accident or reduce the consequences of a possible accident. The equipment is checked by periodic testing and through actual performance.

**Barrier Integrity** - There are three important barriers between the highly radioactive materials in fuel within the reactor and the public and the environment outside the plant. These barriers are the sealed rods containing the fuel pellets, the heavy steel reactor vessel and associated piping, and the reinforced concrete containment building surrounding the reactor. The integrity of the fuel rods, the vessel, and the piping is continuously checked for leakage, while the ability of the containment to prevent leakage is measured on a regular basis.

**Emergency Preparedness** - Each nuclear plant is required to have comprehensive emergency plans to respond to a possible accident. This cornerstone measures the effectiveness of the plant staff in carrying out its emergency plans. Such emergency plans are tested every two years during emergency exercises involving the plant staff and local, state, and, in some cases, federal agencies.

**Occupational Radiation Safety** - NRC regulations set a limit on radiation doses received by plant workers, and this cornerstone monitors the effectiveness of the plant's program to control and minimize those doses.

**Public Radiation Safety** - This cornerstone measures the procedures and systems designed to minimize radioactive releases from a nuclear plant during normal operations and to keep those releases within federal limits.

**Physical Protection**- Nuclear plants are required to have well-trained security personnel and a variety of protective systems to guard vital plant equipment, as well as programs to assure that employees are constantly fit for duty through drug and alcohol testing. This cornerstone measures the effectiveness of the security and fitness-for-duty programs.

In addition to the cornerstones, the reactor oversight program features three "cross-cutting" elements, so named because they affect and are therefore part of each of the cornerstones:

- **Human performance**
- **Management attention to safety and workers' ability to raise safety issues** (The so-called "safety-conscious work environment")
- **Finding and fixing problems** (The utility's corrective action program)

The review and assessment of these cross-cutting elements have an important role in the new program.

## Measuring and inspecting nuclear plant performance

Nuclear plant performance will be measured by a combination of objective performance indicators and by the NRC inspection program. These will be closely focused on those plant activities having the greatest impact on safety and overall risk. In addition, the NRC will conduct both periodic and annual reviews of the effectiveness of each utility's programs to identify and correct problems.

Performance indicators use objective data to monitor performance within each of the "cornerstone" areas. The data which make up the performance indicators will be generated by the utilities and submitted to the NRC on a quarterly basis. Each performance indicator is measured against established thresholds which are related to their effect on safety. While performance indicators can provide insights into plant performance for selected areas, the NRC's inspection program provides a greater depth and breadth of information for consideration by the NRC in assessing plant performance.

The NRC will also monitor plant activities through its inspection program. The inspection program is designed to verify the accuracy of performance indicator information and to assess performance that is not directly measured by the performance indicator data.

## Using performance indicators

The performance indicator data will be evaluated and integrated with findings of the NRC inspection program. Each of the performance indicators has criteria for measuring acceptable performance. (As in all industrial activities, nuclear power plants are not error-free

or risk-free. Equipment problems and human errors will occur. Each performance indicator is designed to determine acceptable levels of operation within substantial safety margins.) These objective criteria are designed to reflect risk according to established safety margins, as indicated by a color coding system.

A “green” coding indicates performance within an expected performance level in which the related cornerstone objectives are met; “white” indicates performance outside an expected range of nominal utility performance but related cornerstone objectives are still being met; “yellow” indicates related cornerstone objectives are being met, but with a minimal reduction in safety margin; and “red” indicates a significant reduction in safety margin in the area measured by that performance indicator. The performance indicators will be reported to the NRC on a quarterly basis by each utility. Following compilation and review by the NRC staff, the performance indicators will be posted on the NRC’s web site.

## **Scope of inspections**

The revised oversight program continues to utilize a variety of NRC inspectors who monitor plant activities. The program includes baseline inspections common to all nuclear plants. The baseline inspection program, based on the “cornerstone” areas, focuses on activities and systems that are “risk significant,” that is, those activities and systems that have a potential to trigger an accident, can mitigate the effects of an accident, or increase the consequences of a possible accident. The inspection program will also review the “cross-cutting issues” of human performance, the “safety-conscious work environment,” and how the utilities find and fix problems. Inspections beyond the baseline will be performed at plants with performance below established thresholds, as assessed through information gained from performance indicators and NRC inspections. Additional inspections may also be performed in response to a specific event or problem which may arise at a plant.

The inspections will be performed by NRC resident inspectors stationed at each nuclear power plant and by inspectors based in one of the four NRC regional offices or in NRC headquarters in Rockville, Maryland. The regional offices are in King of Prussia, Pennsylvania; Atlanta, Georgia; Lisle, Illinois; and Arlington, Texas.

The new inspection program uses a “risk-informed” approach to select areas to inspect within each cornerstone. The inspection areas were chosen because of their importance from the point of view of potential risk, past operational experience, and regulatory requirements.

The baseline inspection program has three parts -- inspection of areas not covered by performance indicators or where a performance indicator does not fully cover the inspection area; inspections to verify the accuracy of a licensee's reports on performance indicators; and a thorough review of the utility's effectiveness in finding and resolving problems on its own.

Inspection reports will be issued for all inspections just as under the previous inspection program. The reports will be available to the public on the NRC’s internet web site and from its Public Document Room at NRC headquarters.

## **Assessing plant performance**

The inspection staff has developed a procedure, called the “Significance Determination Process,” to help inspectors determine the safety significance of inspection findings. This

process will be used for an initial screening review to identify those inspection findings that would not result in a significant increase in risk and thus need not be analyzed further (a "green" finding) . Remaining inspection findings -- which may have an effect on plant risk -- will then be subject to a more thorough risk assessment, using the next phase of the Significance Determination Process. This more detailed assessment may involve NRC risk experts from the appropriate regional office and further review by the utility's plant staff. The final outcome of the review -- evaluating whether the finding is green, white, yellow, or red -- will be used to determine what further NRC action may be called for.

Each calendar quarter, the resident inspectors and the inspection staff in the regional office will review the performance of all nuclear power plants in that region, as measured by the performance indicators and by inspection findings. Every six months, this review will be expanded to include planning of inspections for the following 12-month period.

Each year, the final quarterly review will involve a more detailed assessment of plant performance over the previous 12 months and preparation of a performance report, as well as the inspection plan for the following year. This review will include NRC headquarters staff members, the regional staff, and the resident inspectors.

These annual performance reports will be available to the public on the agency's web site, and the NRC staff will hold public meetings with utilities to discuss the previous year's performance at each plant.

In addition, NRC senior management will review the adequacy of agency actions for plants with significant performance problems. The managers will also take a wider view both of the overall industry performance and of the performance of the agency's regulatory programs. The performance of plants requiring heightened agency scrutiny will then be discussed during a public meeting with the NRC Commissioners at the agency's Rockville, Maryland, headquarters.

| <b>NRC Response Plan or “Action Matrix”</b>                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                 |
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| Assessment of Plant Performance<br>(in order of increasing safety significance)                                                                                                                                                                                     | NRC Response                                                                                                                                                                                                                                                                                                                                                                                    |
| I. All performance indicators and cornerstone inspection findings GREEN<br><ul style="list-style-type: none"> <li>Cornerstone objectives fully met.</li> </ul>                                                                                                      | <ul style="list-style-type: none"> <li>Routine inspector and staff interaction</li> <li>Baseline inspection program</li> <li>Annual assessment public meeting</li> </ul>                                                                                                                                                                                                                        |
| II. No more than two WHITE inputs in different cornerstones<br><ul style="list-style-type: none"> <li>Cornerstone objectives fully met.</li> </ul>                                                                                                                  | <b>Response at Regional level</b> <ul style="list-style-type: none"> <li>Staff to hold public meeting with utility management</li> <li>Utility corrective action to address WHITE inputs</li> <li>NRC inspection followup on WHITE inputs and corrective action</li> </ul>                                                                                                                      |
| III. One degraded cornerstone (two WHITE inputs or one YELLOW input or three WHITE inputs in any strategic area)<br><ul style="list-style-type: none"> <li>Cornerstone objectives met with minimal reduction in safety margin</li> </ul>                            | <b>Response at Regional level</b> <ul style="list-style-type: none"> <li>Senior regional management to hold public meeting with utility management</li> <li>Utility to conduct self-assessment with NRC oversight</li> <li>Additional inspections focused on cause of degraded performance</li> </ul>                                                                                           |
| IV. Repetitive degraded cornerstone, multiple degraded cornerstones, or multiple YELLOW inputs, or one RED input<br><ul style="list-style-type: none"> <li>Cornerstone objectives met with longstanding issues or significant reduction in safety margin</li> </ul> | <b>Response at Agency level</b> <ul style="list-style-type: none"> <li>Executive Director for Operations to hold public meeting with senior utility management</li> <li>Utility develops performance improvement plan with NRC oversight</li> <li>NRC team inspection focused on cause of degraded performance</li> <li>Demand for Information, Confirmatory Action Letter, or Order</li> </ul> |
| V. Unacceptable Performance<br><ul style="list-style-type: none"> <li>Unacceptable reduction in safety margin</li> </ul>                                                                                                                                            | <b>Response at Agency level</b> <ul style="list-style-type: none"> <li>Plant not permitted to operate</li> <li>Commission meeting with senior utility management</li> <li>Order to modify, suspend, or revoke license</li> </ul>                                                                                                                                                                |

## How the NRC will respond to plant performance

The quarterly reviews of plant performance, using both the performance indicators and inspection findings, will determine what additional action, if any, the NRC will take if there are signs of declining performance. This approach to enforcement is intended to be more predictable than previous practices by linking regulatory actions to performance criteria. The new process utilizes four levels of regulatory response with NRC regulatory review increasing as plant performance declines. The first two levels of heightened regulatory review are managed by the appropriate regional office. The next two levels call for an agency response, involving senior management attention from both headquarters and regional offices.

The oversight program retains the same tools used in the past for dealing with declining plant performance and violations. These tools, however, are used in a more predictable manner that is commensurate with the decreased safety performance. In the past, the NRC tended to use fines as a prime indicator of agency concern and as a motivator to affect licensee corrective actions. Under the new approach, there is a system of specified agency actions if performance declines. Fines will generally be reserved for such things as discriminating against workers raising safety concerns, or willful misreporting of required information.

The NRC's actions for performance below the "green" level may include meetings with the utility, additional inspections, and required reviews and response by the utility. Further declines in performance would warrant stronger action by the NRC, including a civil order or even the suspension of the utility's operating license.

## Violations of NRC requirements

Each violation of NRC requirements found during NRC inspections will be evaluated to determine its effect on plant safety and risk. If the violation is of very low safety significance, it will be discussed in the inspection report with no formal enforcement action. The utility is expected to deal with the violation through its corrective action program, correcting the violation and taking steps to prevent a recurrence. The issue may also be reviewed during future NRC inspections.

If the NRC risk evaluation finds that the violation has higher safety significance, a Notice of Violation will be issued. A Notice of Violation may also be issued if the utility fails to correct a violation of low safety significance in a reasonable period of time or if a violation is found to be willful.

The Notice of Violation requires the utility to respond formally to the NRC with its actions to correct the violation and what steps it will take to prevent the violation from occurring again. The agency will then review the utility's actions in a later inspection.

Normally, these violations will not be the subject of a fine. However, there may be violations that warrant a fine because of their unusual significance. These violations are likely to be uncommon. Possible examples include exceeding a safety limit specified in a reactor license or the inadvertent startup of a reactor.



In addition, some violations will call for the traditional enforcement approach, including the possible issuance of fines. Examples include:

- Discrimination against workers for raising safety issues or other willful violations.
- Actions that may adversely affect the NRC's ability to monitor utility activities, including failure to report required information, failure to obtain NRC approval for plant changes, failure to maintain accurate records, or failure to provide the NRC with complete and accurate information.
- Incidents with actual safety consequences, including radiation exposures above NRC limits, releases of radioactive material above NRC limits, or failure to notify government agencies when emergency response is required.

## **Making performance information available to the public**

The revised oversight process will provide more information on plant performance than in the past, and the information will be available on a more frequent basis. This information will be placed on the NRC's internet web site as well as in its Public Document Room at NRC headquarters.

A utility will submit to the NRC the quarterly performance indicator data for each nuclear power plant it operates. The NRC staff will review the data for completeness and accuracy. The staff will also evaluate inspection findings for that quarter to determine their safety significance. This review uses the agency's "Significance Determination Process," which is keyed to how plant safety systems and procedures contribute to the risk of a potential accident.

The performance indicators and the assessment of inspection findings will be placed on the NRC web site using the color notation of their significance -- green, white, yellow, or red. The statistics and inspection findings which underlie the color notation will also be posted on the web site.

The revised oversight program is intended to fulfill the following four goals established by the Commission:

1. To maintain safety by establishing a regulatory oversight framework that provides assurance that plants continue to be operated safely by plant operators. Maintaining safety is the NRC's overarching mission.
2. To enhance public confidence in the NRC's regulatory program by increasing the predictability, consistency, objectivity and transparency of the oversight process so that all parties will be well served by the changes taking place.
3. To improve the effectiveness, efficiency, and realism of the oversight process by focusing both agency resources and utility resources on those issues with the most safety-significance.
4. To reduce unnecessary regulatory burden as the process becomes more efficient and effective.

## Glossary

**Baseline Inspection Program** - The normal inspection program performed at all nuclear power plants. The program will focus on plant activities that are not adequately measured by performance indicators, on the corrective action program, and on verifying the accuracy of the performance indicators.

**Corrective Action Program** - The system by which a utility finds and fixes problems at the nuclear plant. It includes a process for evaluating the safety significance of the problems, setting priorities in correcting the problems, and tracking them until they have been corrected.

**Cross-cutting Area** - Nuclear plant activity that affects most or all safety cornerstones. These include the plant's cornerstone action program, human performance, and "safety-conscious work environment."

**Inspection Reports** - Reports are issued periodically to document inspection findings. These may cover a specific time period for the baseline inspection or a particular event or problem examined in a reactive inspection. All inspection reports are public documents and, when issued, are posted to the NRC's internet web site.

**Performance Indicator** - Objective data which records performance in a specific cornerstone of safety at a nuclear power plant.

**Reactive Inspection** - An inspection to examine the circumstances surrounding an operational problem or event occurring at a nuclear plant.

**Regulatory Conference** - A meeting between the NRC staff and a utility to discuss potential safety issues or to discuss a change in performance as indicated by a declining performance indicator or inspection finding. These meetings are open to public observation unless they cover security issues, NRC investigation findings, or similar sensitive topics.

**Resident Inspector** - An NRC inspector assigned to a nuclear plant on a full-time basis. Each site has at least two resident inspectors.

**Risk-informed** - Incorporating an assessment of safety significance or relative risk in NRC regulatory actions

**Cornerstone of Safety** - Nuclear plant activities that are essential for the safe operation of the facility. These cornerstones are grouped under the categories of reactor safety, radiation safety, and safeguards.

**Safety Conscious Work Environment** - A working environment in which employees are encouraged to report safety concerns without fear of criticism or retaliation from their supervisors because they raised the issue.

**Significance Determination Process** - The process used by the NRC staff to evaluate inspection findings to determine their safety significance. This involves assessing how the inspection findings affect the risk of a nuclear plant accident, either as a cause of the accident or the ability of plant safety systems or personnel to respond to the accident.

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