BNL Technical Letter Report J-3105/8-2004

Final Results – USNRC Office of Nuclear Reactor Regulation Regulatory Impact Survey

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Executive Summary

The U. S. Nuclear Regulatory Commission (NRC) requested feedback information on its regulatory programs through a survey of power reactor licensees. This survey was designed and administered by Brookhaven National Laboratory (BNL) for the Office of Nuclear Reactor Regulation (NRR). The results of the survey, presented in this report, are summarized below:

Total Responses Returned: 76
Number of Units: 40

Four responses returned from three units
Three responses returned from eight units
Two responses returned from eleven units
One response returned from eighteen units

Response by Position:

Operations Manager: 15 responses
Licensing Manager: 29 responses
Engineering Manager: 14 responses
Plant Manager: 18 responses

The majority of responses expressed satisfaction with NRC performance. However, specific areas of concern were noted in open-ended questions and answers. These included concerns with the area of fire protection and timeliness of NRC licensing actions. Concerns were also expressed regarding the requests for additional information, including the importance placed on them and the schedule to which they are submitted and responses generated. The greatest amount of satisfaction was expressed with inspections at the respondent's facilities, followed by formal communications with the NRC and the quality of inspection reports.

1.0 Introduction

To improve its oversight activities, the NRC implemented a regulatory impact feedback process for power reactor licensees in 1992. This ongoing process uses regional managers to solicit feedback regarding regulatory activities during routine visits to the reactor sites. This feedback is evaluated in an integrated manner and reported to the Commission annually.

In 2003, the staff decided to augment this ongoing process with a survey conducted by an independent contractor. The objective of this survey was to obtain licensee feedback to help gauge the effectiveness of the ongoing regulatory impact process. On April 16, 2004, the NRC issued Regulatory Issue Summary 2004-06 "Independent Survey Of Power Reactor Licensees" informing all nuclear power plant licensees of an independent survey designed to gain insights into the impact of its regulatory activities. To promote independence and facilitate an open exchange of information, BNL was contracted to design and independently administer the survey for the NRC. BNL did not record or track user IDs with any unit or other individual data. BNL did not trap any computer ID information from respondents and did not utilize cookies to identify or track survey takers.

The survey consisted of twenty satisfaction questions in the general areas of agency communications, reactor oversight process, Office of Nuclear Reactor Regulation activities, and other NRR processes. In addition, two free verse questions allowed respondents to elaborate on specific areas of dissatisfaction and any other additional comments they wished to submit.

The survey was maintained on the BNL website for a ten week period. Under a separate cover letter from BNL, each of the 104 nuclear plant units (at 66 sites) was provided the password and a randomly generated user ID to allow access to the survey. The recipients of the letter were identified by the NRC, and included those individuals who receive NRC mail (typically a corporate vice-president or licensing manager). These persons were located both at the corporate headquarters and plant site. These individuals were asked to disseminate this information to four top-level managers at their site: operations, licensing, plant, and engineering managers. The survey was designed to accept a maximum of four submittals per site. Multiple unit sites having only one manager were requested to provide only one response.

The results of the survey are presented in Section 3.0 of this report.

2.0 Preparation of Survey

BNL initially identified a detailed list of issues pertinent to the operation of nuclear units, and prepared a detailed survey that focused on these specific issues. Upon review by the staff, it was decided to focus on those areas directly under the auspices of NRR, and to eliminate other questions that pertained to ADAMS and security for example. Though these areas were recognized as being important, licensee satisfaction is also measured by the staff through other means (e.g., other surveys). The survey was revised to be more generic in nature, such that the function of the survey was to gauge licensee satisfaction, and in accordance with Office of Management and Budget (OMB) guidelines for satisfaction surveys. Responses were worded with licensee satisfaction (or dissatisfaction) in mind. The final survey was also shortened (20 questions and 2 free-verse response questions) so as to present less burden on the licensee.

3.0 Results of Survey

An invitation to participate in the survey was sent to representatives at 104 nuclear power plants. By survey design, BNL does not know which sites provided separate responses for each unit on the site and which provided only a single set of responses for the entire multi-unit site. Responses were received from 40 plants. As discussed in section 1.0, the survey was mailed to 104 units at 66 sites. Thus the response rate to this survey is between 40/104 (38%) and 40/66 (61%).

Seventy-six responses were received from the 40 plants. Using the same logic as discussed above, the response rate by mangers is between 76/264 (29%) and 76/416 (18%). The distribution by specific manager is shown in Figure 1. A higher number of licensing managers responded compared to other types. This may be due to the fact that they have more interaction with the NRC and have more opinions to express. Figure 2 provides a summation of the responses to all the questions.

Table 1 presents a summation of the responses by management title. Grouping the satisfaction responses (very satisfied and generally satisfied) and the unsatisfied responses (generally unsatisfied and very unsatisfied) shows degree of satisfaction from the respondents. As shown in Figure 3, 60% of the responses expressed satisfaction, 23% were neutral, and 10% were unsatisfied. Table 2 presents the percentages of satisfaction (and dissatisfaction) by question. As shown in this table, the area where the highest amount of dissatisfaction expressed was fire protection. Another area where the respondents expressed concern pertained to the timeliness and adherence to schedule with regard to licensing actions. Additional concerns were seen with the number of requests for additional information (RAI), the importance placed on these by the staff, and the time allotted for licensees to respond.

Conversely, the greatest degree of satisfaction was expressed with the quality of inspections at the respondent's facilities. Other areas where respondents expressed the most satisfaction was in the area of communications, specifically with inspection reports and other formal communications (meetings, workshops, conferences, etc.).

Responses to each of the individual questions are presented in Section 3.0. The results are presented as an overall distribution as well as broken down by specific manager. Comments applicable to each question are also presented.

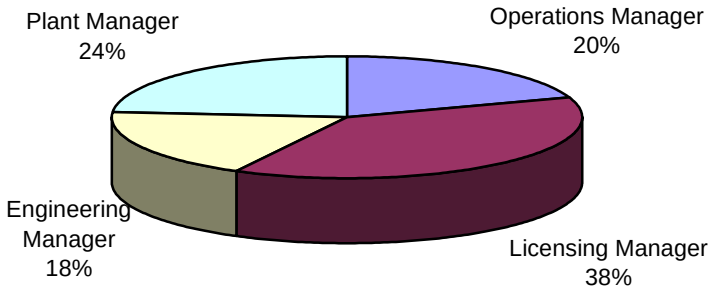

Figure 1: Distribution by Manager

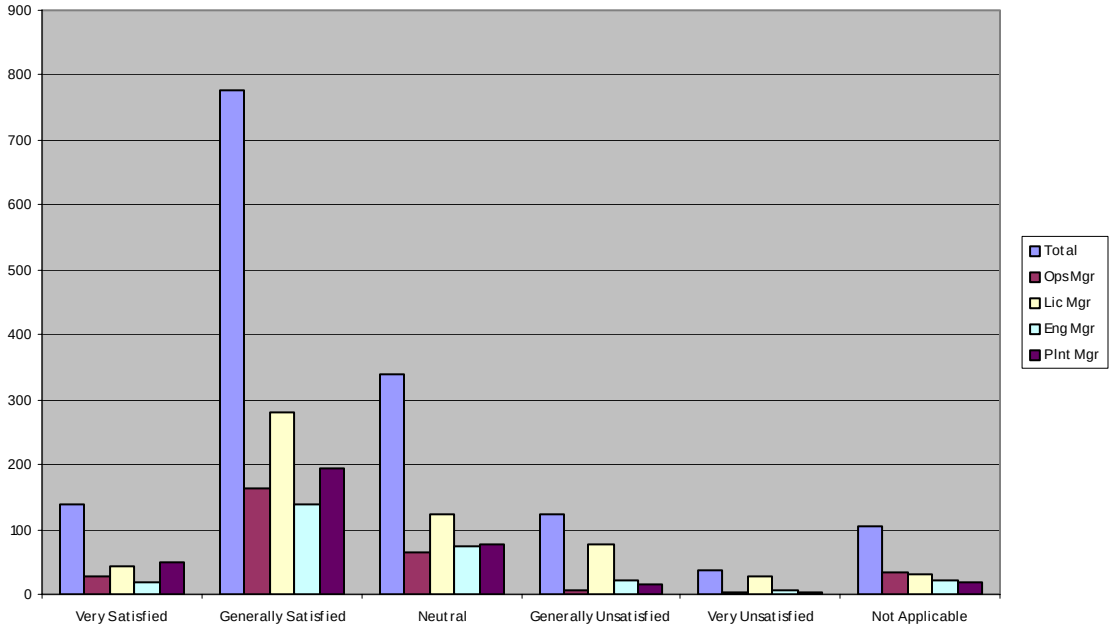

Figure 2: Summation of All Responses Received

Table 1: Summation Of Responses By Management Title

	Very Satisfied	Generally Satisfied	Neutral	Generally Unsatisfied	Very Unsatisfied	Not Applicable
Operations Manager	29	162	66	7	3	33
Licensing Manager	41	280	122	78	27	31
Engineering Manager	17	140	74	23	5	21
Plant Manager	50	194	80	15	2	20
Total	137	776	342	123	37	105
Per Cent	9%	51%	23%	8%	2%	7%

Note: Total Number of Responses = 1520

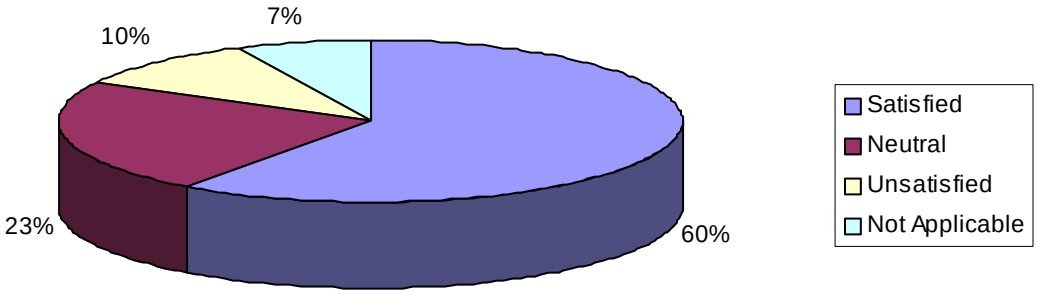

Figure 3: Overall Distribution of Responses

Table 2: Percent of Satisfaction Responses By Survey Question

	Question	Satisfied	Neutral	Unsatisfied	Not Applicable
1	How satisfied were you with informal communication channels (telephone calls, informal meetings, and drop-in visits) with regional and headquarters management?	75%	18%	7%	0%
2	How satisfied were you with the communication during formal meetings, workshops, and conferences?	80%	14%	5%	0%
3	How satisfied were you with formal written communications (NRC Generic Letter, Bulletin, Regulatory Issue Summary, Information Notice, and Administrative Letter)?	67%	28%	5%	0%
4	How satisfied were you with the overall quality of inspections at your facility?	86%	9%	5%	0%
5	How satisfied were you with the overall frequency of inspections at your facility?	69%	21%	10%	0%
6	How satisfied were you with the communication skills of the inspectors?	69%	18%	13%	0%
7	How satisfied were you with the quality of the inspection reports?	80%	16%	3%	1%
8	How satisfied were you with the significance determination process?	55%	26%	16%	1%
9	How satisfied were you with the performance indicator process?	72%	22%	5%	1%
10	How satisfied were you with the quality of NRR written products (generic communications, safety evaluations, etc…)?	66%	22%	9%	3%
11	How satisfied were you with the communication skills of NRR staff?	53%	28%	14%	5%
12	How satisfied were you with the NRC-endorsed process to change commitments, which is described in NEI 99-04, “Guidelines for Managing NRC Commitments?”	65%	26%	3%	6%
13	How Satisfied were you with NRC’s handling of licensing actions?	59%	24%	17%	0%
14	How satisfied were you with the timeliness of NRC’s response to license application, amendment, and/or renewal request?	47%	29%	23%	1%
15	How satisfied were you with the direction the NRC has taken toward incorporating risk-informed and performance-based insights into its regulations and regulatory activities?	66%	20%	14%	0%
16	License renewal process.	42%	20%	0%	38%
17	New construction process	9%	22%	2%	66%
18	Reactor pressure vessel integrity activities	50%	30%	11%	9%
19	Fire protection activities.	28%	30%	38%	4%
20	In general, how would you rate the quality of NRR activities that you have experienced?	64%	24%	11%	1%

3.1 Agency Communications

3.1.1 Question #1

How satisfied were you with informal communication channels (telephone calls, informal meetings, and drop-in visits) with regional and headquarters management?

Very Satisfied	Generally Satisfied	Neutral	Generally Unsatisfied	Very Unsatisfied	N/A
13 (17%)	44 (58%)	14 (18%)	3 (4%)	2 (3%)	0

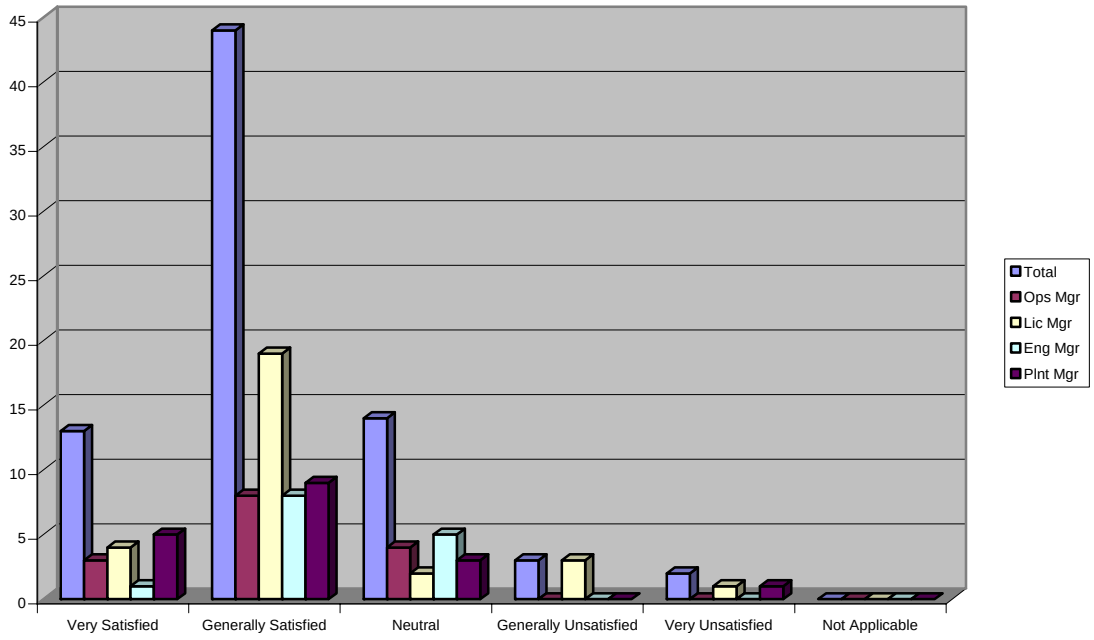

Figure 4: Question No. 1 Responses

Open End Question 1: If you were dissatisfied, please let us know what you think could be improved?

The information flow during informal discussions with regional management appears at times to only go one way (utility to NRC), insights from NRC are not always shared.

Question 1 related to communications is focused on the REGION and not NRR. Communications at our site with R-II is poor, especially with the Residents. They filter and modify information we provide them before sharing with R-II management, making it appear that we are not communicating with the Residents. This only adds additional stress to our relationships. Communications with NRR are much more effective.

Application of the Class 3 moderate pressure pinhole leak guidance in GL 90-05 and Inspection manual part 9900 has been inconsistent. There has been an apparent shift in NRC application that was not reflected in any other correspondence. Informal communications with NRR and region staff did not serve to clarify when and how this change occurred.

Open End Question 2: Provide any additional comments.

With regard to informal communications and visits, its difficult for senior regional management to interface with each plant because of all the on-going issues (security order) and other distractions. Additional, informal communications and feedback is always beneficial and welcome.

3.1.2 Question #2

How satisfied were you with the communication during formal meetings, workshops, and conferences?

Very Satisfied	Generally Satisfied	Neutral	Generally Unsatisfied	Very Unsatisfied	N/A
11 (14%)	50 (66%)	11 (14%)	4 (5%)	0	0

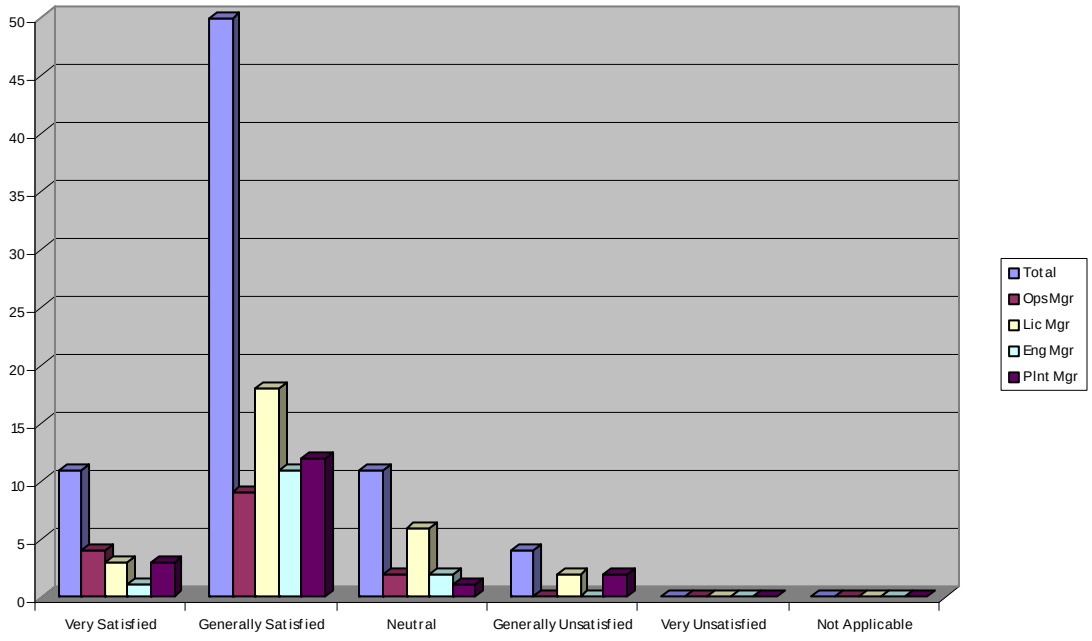

Figure 5: Question No. 2 Responses

Open End Question 1: If you were dissatisfied, please let us know what you think could be improved?

NRC Personal will take positions and not explain their basis for the position.

Open End Question 2: Provide any additional comments.

The current organizational separation between OGC and NRR staff precludes effective use of legal expertise in daily licensing activities. Legal expertise in only brought into the picture after legal objections are made formal. Otherwise, legal opinions remain on the sidelines. Suggest NRC consider realignment of responsibilities. OGC could be used effectively during early communications; particularly if it relates to use of precedence.

3.1.3 Question #3

How satisfied were you with formal written communications (NRC Generic Letter, Bulletin, Regulatory Issue Summary, Information Notice, and Administrative Letter)?

Very Satisfied	Generally Satisfied	Neutral	Generally Unsatisfied	Very Unsatisfied	N/A
4 (5%)	47 (62%)	21 (28%)	4 (5%)	0	0

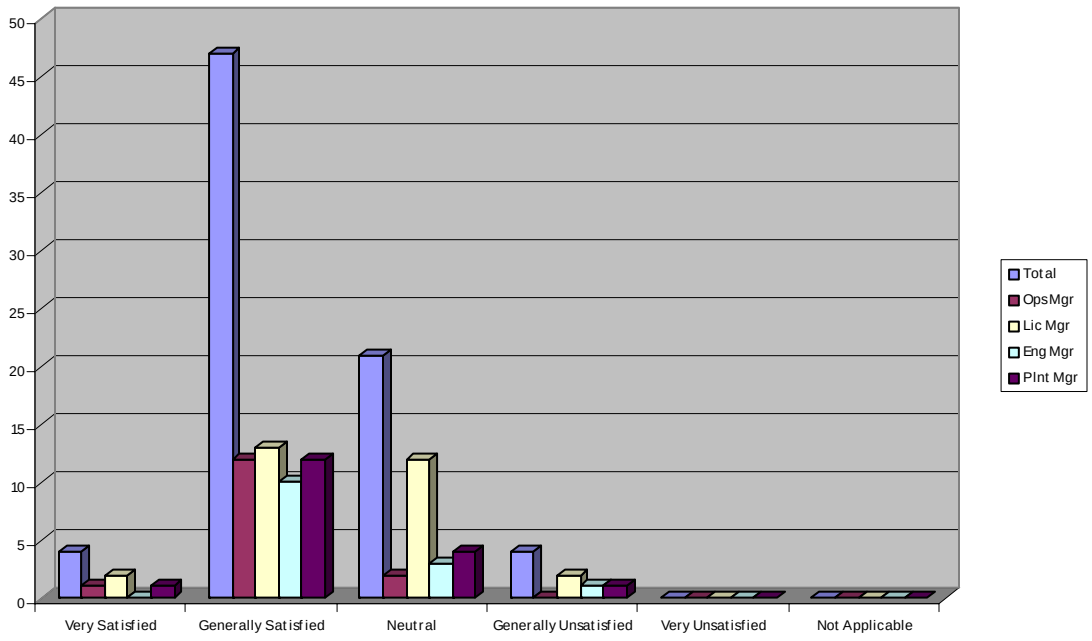

Figure 6: Question No. 3 Responses

Open End Question 1: If you were dissatisfied, please let us know what you think could be improved?

I am somewhat concerned with the current process of issuing a temporary instruction for inspections that often imposes far greater requirements than the original regulation. In several cases, it appears that we are "inspecting" requirements into the regulations.

The NRC is failing to address generic issues in a generic manner, but is addressing too many such issues on a docket by docket basis.

Open End Question 2: Provide any additional comments.

Orders are being written instead of revising the regulations. Orders have extremely poor language mandating a lot of relaxations.

The NRC has recently issued several generic communications without prior interaction with the industry, resulting in failure to consider all implications of the communications. The process generally works more effectively when there is prior interaction with the NRC.

3.2 Reactor Oversight Process

3.2.1 Question #4

How satisfied were you with the overall quality of inspections at your facility?

Very Satisfied	Generally Satisfied	Neutral	Generally Unsatisfied	Very Unsatisfied	N/A
10 (13%)	55 (73%)	7 (9%)	4 (5%)	0	0

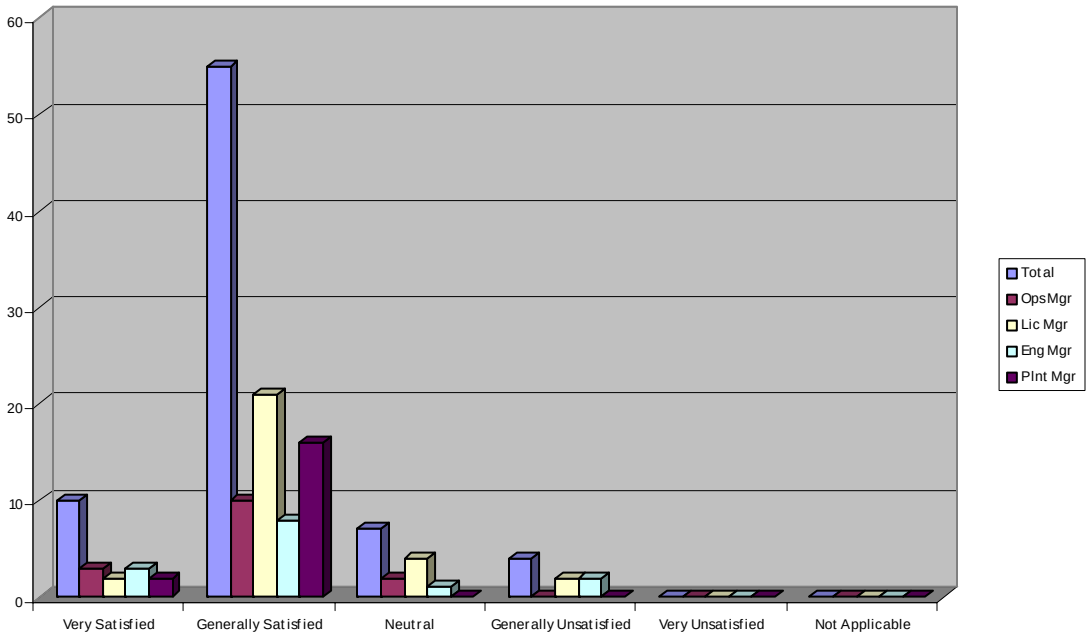

Figure 7: Question No. 4 Responses

Open End Question 1: If you were dissatisfied, please let us know what you think could be improved?

In regulatory activities there is too wide a variance in number of non-cited violations. Seems too dependent on individual inspectors. Not reasonable to have some plants with 1-3 NCVs and others with 15-20 for same general level of performance.

The OGC and the Office of Enforcement seem to have no common ground what so ever. It would be nice to have someone force some communication between the two groups. Frequently utilities get different answers from the two groups and then the utility is left changing direction at the last minute to satisfy one or the other.

The change to the ROP program has not been fully embraced by all NRC personnel. There are still too many inspectors and regional personnel who pine for the old days and are not doing a good job helping the industry maintain an acceptable level of safety.

NRC Exits for inspections do not occur immediately after the inspection. A lot of time the exit is delayed a significant amount of time and their are significant number of changes in the tone and characterization of the findings.

NRC has recently been trying to change the regulations (especially in the 50.59 area) by changing their inspection tactics and policies.

I perceive significant variation Region to Region, scope of inspections / # of violations.

Inspection teams sometimes reach poorly substantiated conclusions, with no time left to refute.

I was disappointed by NRRs failure to pick up and pursue an issue that clearly had generic implications.

Open End Question 2: Provide any additional comments.

The ROP is seen as an effective tool, the site NRC inspectors follow the process very well. At times there are regional inspectors that provide verbal clues that they do not necessarily agree with all aspects of the ROP (most notably inspection violations and findings).

Some of our recent inspections have been quite intense but fair in the assessments. The inspectors in general have been very professional in their conduct.

Senior inspector is very professional and communicates well. Generally the focus is in the right areas.

The Revised Oversight Process has been a good move, in that it tries to be more objective and more focused on safety-significance. Though it is not perfect, (no process ever will be), it is very much to NRC's credit that this process has been put into use.

The Reactor Oversight Process is much improved from several years ago. Inspections seem more focused on safety significant equipment and processes.

3.2.2. Question #5

How satisfied were you with the overall frequency of inspections at your facility?

Very Satisfied	Generally Satisfied	Neutral	Generally Unsatisfied	Very Unsatisfied	N/A
5 (7%)	47 (62%)	16 (21%)	6 (8%)	2 (2%)	0

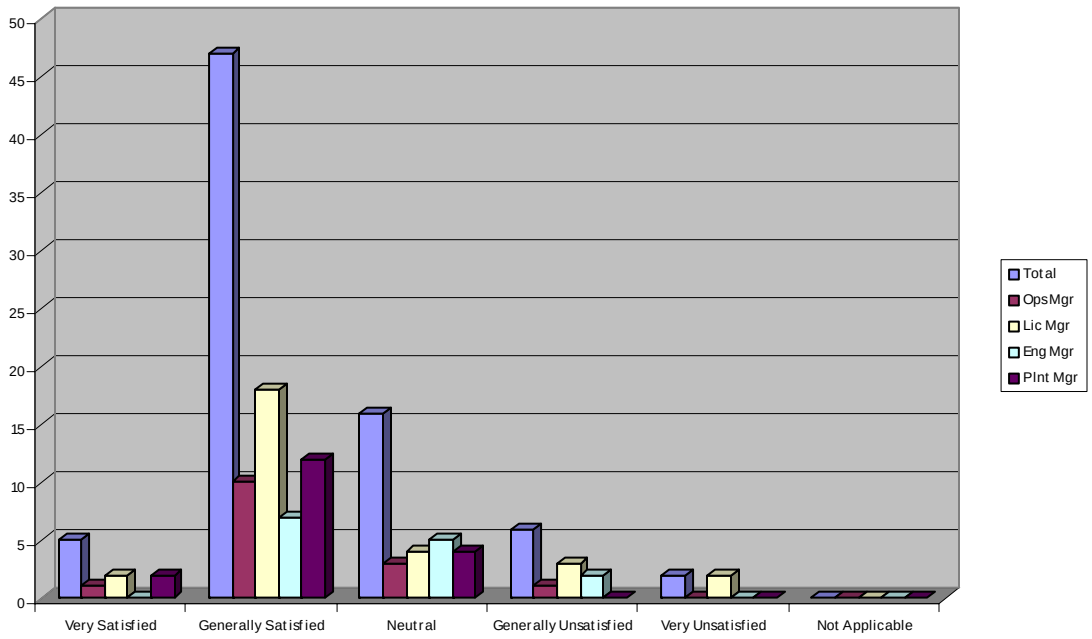

Figure 8: Question No. 5 Responses

Open End Question 1: If you were dissatisfied, please let us know what you think could be improved?

I think that the frequency for some inspections is much and should be more risk based. Previous evals combined with current performance should allow for longer periods between some inspections.

We get too many RP inspections, for a plant with historically low dose and no Findings in previous inspections.

Open End Question 2: Provide any additional comments.

None

3.2.3 Question #6

How satisfied were you with the communication skills of the inspectors?

Very Satisfied	Generally Satisfied	Neutral	Generally Unsatisfied	Very Unsatisfied	N/A
12 (16%)	40 (53%)	14 (18%)	9 (12%)	1 (1%)	0

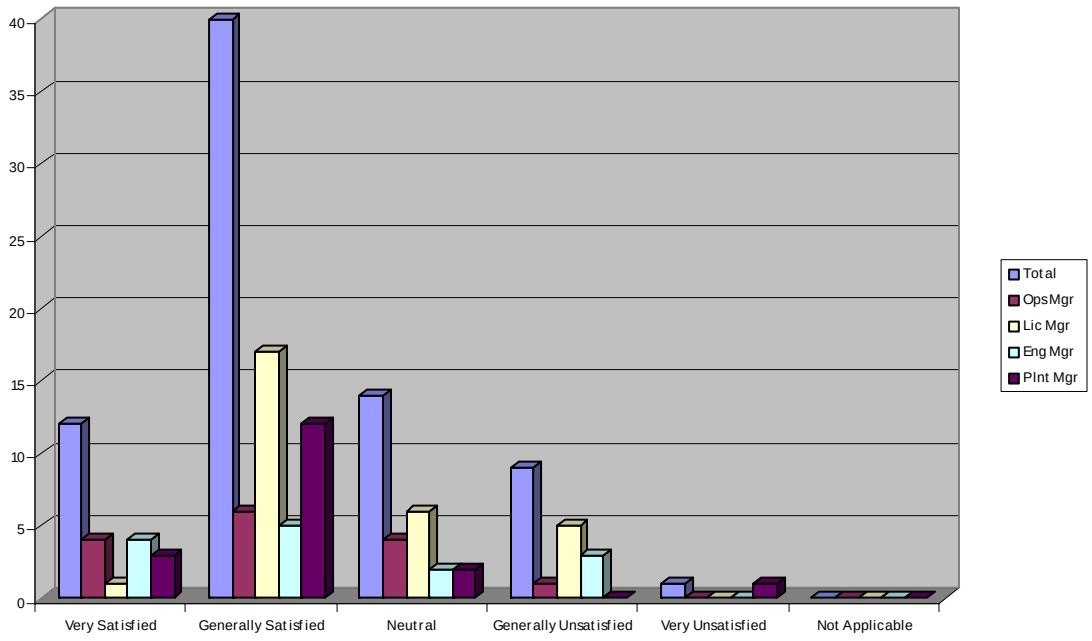

Figure 9: Question No. 6 Responses

Open End Question 1: If you were dissatisfied, please let us know what you think could be improved?

Individual inspectors need better communications skills.

When individual NRC inspectors and reviewers form a firm position they sometimes get very emotional and do not listen to logical discussions.

As a result of the new Reactor Oversight Process, the NRC Inspectors are limited regarding the amount of feedback and insights that they can provide in their reports. Overall, the new process is more effective and beneficial but requires more informal feedback.

Communications practices of resident inspectors and branch chief - I am not told of NRC concerns until well after those concerns have been fully developed. I have routine meetings with residents where no concerns are identified, only to find out later that the region has significant issues. Inaccuracies in proposed findings have been pointed out, only to have them show up in the final version anyway. In summary, I feel that NRC holds licensees to a high standard as far as communications are concerned, but does not hold itself to the same standard.

There have been some cases where inspectors have not communicated well with site personnel resulting in surprises at exit meetings. This is not the norm, but inspectors should be encouraged to have open and frank discussions with the site throughout the inspection process.

Open End Question 2: Provide any additional comments.

None

3.2.4 Question #7

How satisfied were you with the quality of the inspection reports?

Very Satisfied	Generally Satisfied	Neutral	Generally Unsatisfied	Very Unsatisfied	N/A
11 (14%)	50 (66%)	12 (16%)	2 (3%)	0	1 (1%)

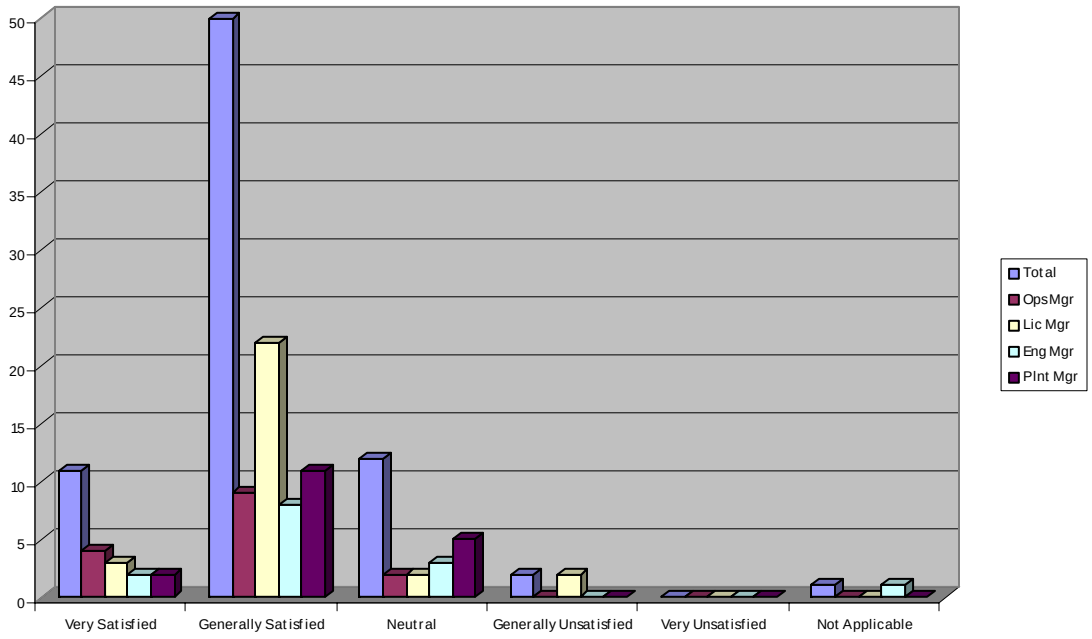

Figure 10: Question No. 7 Responses

Open End Question 1: If you were dissatisfied, please let us know what you think could be improved?

Make sure Deviation Letter for a plant is not politically driven.

Open End Question 2: Provide any additional comments.

None

3.2.5 Question #8

How satisfied were you with the significance determination process?

Very Satisfied	Generally Satisfied	Neutral	Generally Unsatisfied	Very Unsatisfied	N/A
4 (5%)	39 (50%)	20 (26%)	8 (11%)	4 (5%)	1 (1%)

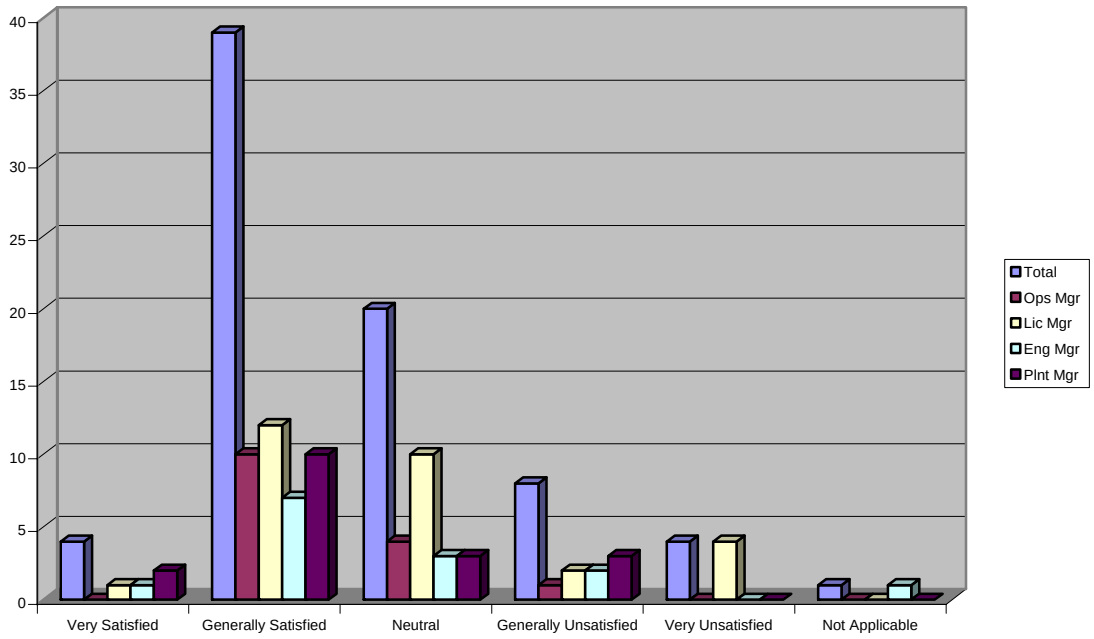

Figure 11: Question No. 8 Responses

Open End Question 1: If you were dissatisfied, please let us know what you think could be improved?

The SDP Process requires far too much time and effort and is frequently manipulated to achieve the desired result.

SDP is inconsistently applied, with numerous past-operability issues being forced through the process. Residents do not like the process, and exhibit signs of "malicious compliance" with the rules, without any application of common sense.

Performance Deficiency needs to be clearly characterized and identified prior to entry into SDP

The EPP Significance Determination Process (SDP) could be improved. Credit for issues that are self-identified are not adequately acknowledged by the process. In addition, the decision flow chart seems to almost always result in the failure to meet a planning standard.

Open End Question 2: Provide any additional comments.

The Significance Determination of Reactor Inspection Findings for At-Power Situations is good and generally works well. However, the other SDPs are weak and need work.

3.2.6 Question #9

How satisfied were you with the performance indicator process?

Very Satisfied	Generally Satisfied	Neutral	Generally Unsatisfied	Very Unsatisfied	N/A
12 (16%)	42 (56%)	17 (22%)	3 (4%)	1 (1%)	1 (1%)

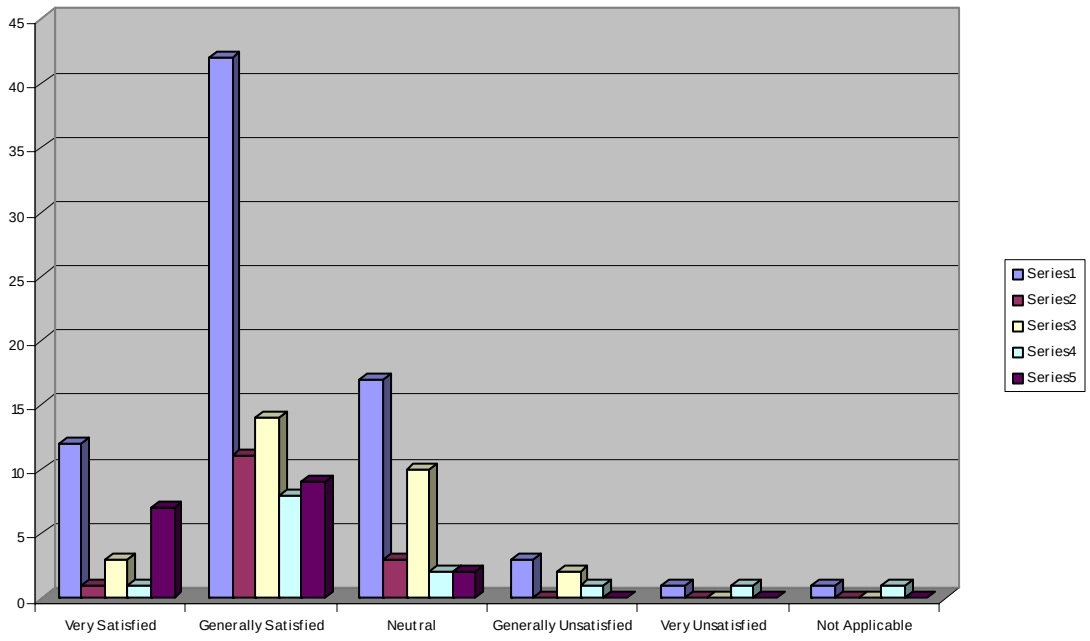

Figure 12: Question No. 9 Responses

Open End Question 1: If you were dissatisfied, please let us know what you think could be improved?

None

Open End Question 2: Provide any additional comments.

Although considerable effort to collect and report Performance Indicator data is expended there in no noticeable reduction in inspection efforts for a single unit site.

3.3 Office Of Nuclear Reactor Regulation (NRR) Activities

3.3.1 Question #10

How satisfied were you with the quality of NRR written products (generic communications, safety evaluations, etc…)?

Very Satisfied	Generally Satisfied	Neutral	Generally Unsatisfied	Very Unsatisfied	N/A
2 (3%)	48 (63%)	17 (22%)	6 (8%)	1 (1%)	2 (3%)

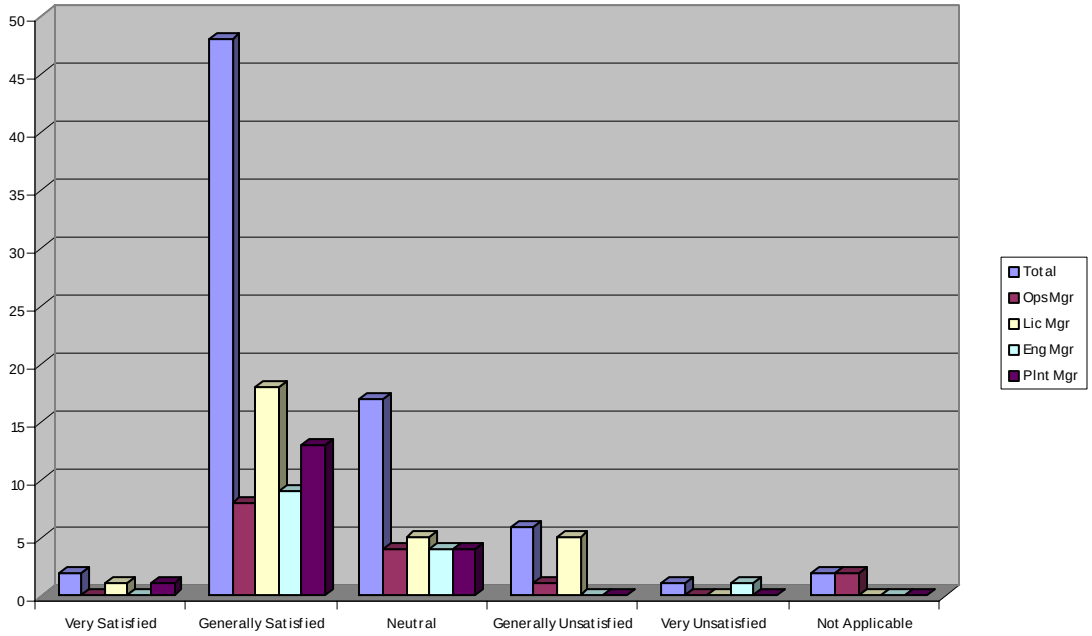

Figure 13: Question No. 10 Responses

Open End Question 1: If you were dissatisfied, please let us know what you think could be improved?

Utilities with sister plants submit the same technical specification requests and the later plant incorporates RAIs from previous submittals for the first plant and NRR asks more questions (First plant SER and second plant submittal within 3 months) - if the issue were safety significant NRR would require all plants with previous approvals address the issue - this is not done.

The material issues (while a very worthwhile and needed issue) are very challenging to a station. We get a lot of questions and are expected to be able to interpret regulations that may not be all that clear. Rather than it being a discussion it takes on the form of an interrogation. We in the industry want nothing more than to operate the plant safely, clearly within the regulations. If the regulation is unclear or the interpretation from NRR is different then current (or past) industry practice then tell us. Also if NRR decides to take another position on a standard or regulation than by all means let us know. The key is honest open conversation.

We have seen instances of needless, opinionated discussions in NRR SER cover letters, regarding submittal quality. The message can be handled via other means, and not have these words in written form.

Quality of NRR correspondence needs major improvement in both technical and editorial areas. If a plant submitted a document to NRR which is of similar quality, NRR would raise significant objections.

Open End Question 2: Provide any additional comments.

The NRC has recently issued several generic communications without prior interaction with the industry, resulting in failure to consider all implications of the communications. The process generally works more effectively when there is prior interaction with the NRC.

3.3.2 Question #11

How satisfied were you with the communication skills of NRR staff?

Very Satisfied	Generally Satisfied	Neutral	Generally Unsatisfied	Very Unsatisfied	N/A
2 (3%)	38 (50%)	21 (28%)	8 (10%)	3 (4%)	4 (5%)

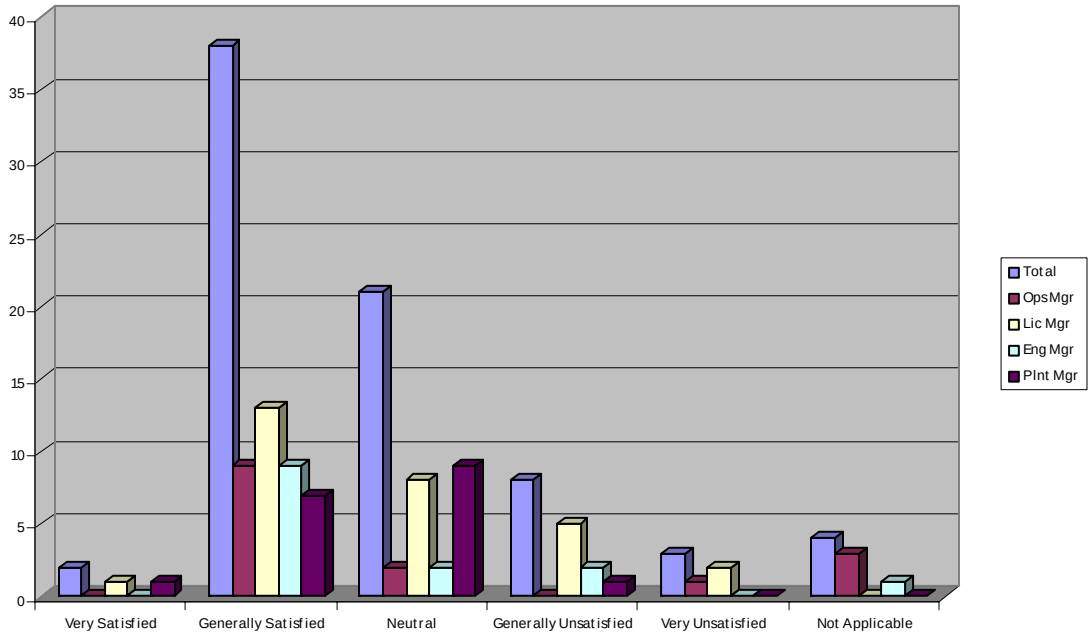

Figure 14: Question No. 11 Responses

Open End Question 1: If you were dissatisfied, please let us know what you think could be improved?

Communications from NRR through the project manager does not always get all of the issues on the table from the technical personnel. Also, there is not a lot of information as to the status of issues such that we work to resolve any questions personnel have. We do not hear anything, regarding an amendment, for a period of time, and then we receive an RAI. Some informal discussions between the reviewers and utilities may cut down on some of the administrative burden.

Ex-NRR Project Manager was a poor communicator. Glad to have a new, more cooperative one.

Communication with NRR is limited due to the language difficulties of a significant number of staff members.

Open End Question 2: Provide any additional comments.

None

3.3.3 Question #12

How satisfied were you with the NRC-endorsed process to change commitments, which is described in NEI 99-04, "Guidelines for Managing NRC Commitments?"

Very Satisfied	Generally Satisfied	Neutral	Generally Unsatisfied	Very Unsatisfied	N/A
12 (16%)	37 (49%)	20 (26%)	2 (3%)	0	5 (6%)

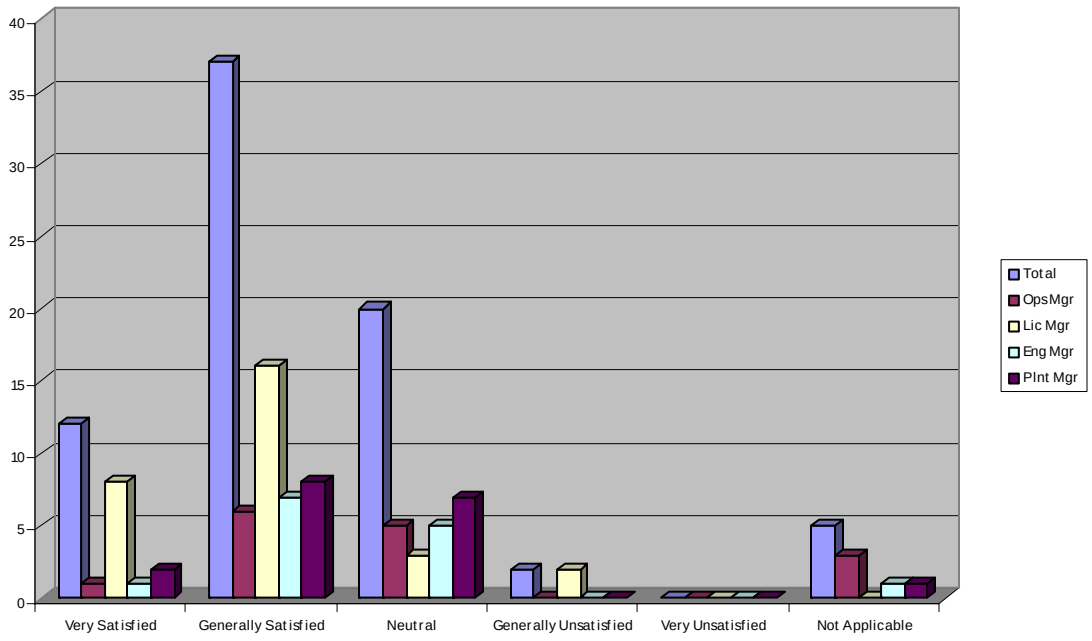

Figure 15: Question No. 12 Responses

Open End Question 1: If you were dissatisfied, please let us know what you think could be improved?

NRC personnel are not familiar with guidelines contained in NEI 99-04 and NEI 96-07. NRC personnel need to obtain the same degree of training that utility personnel get especially on NEI 96-07.

Open End Question 2: Provide any additional comments.

None

3.3.4 Question #13

How satisfied were you with NRC's handling of licensing actions?

Very Satisfied	Generally Satisfied	Neutral	Generally Unsatisfied	Very Unsatisfied	N/A
2 (3%)	43 (56%)	18 (24%)	10 (13%)	3 (4%)	0

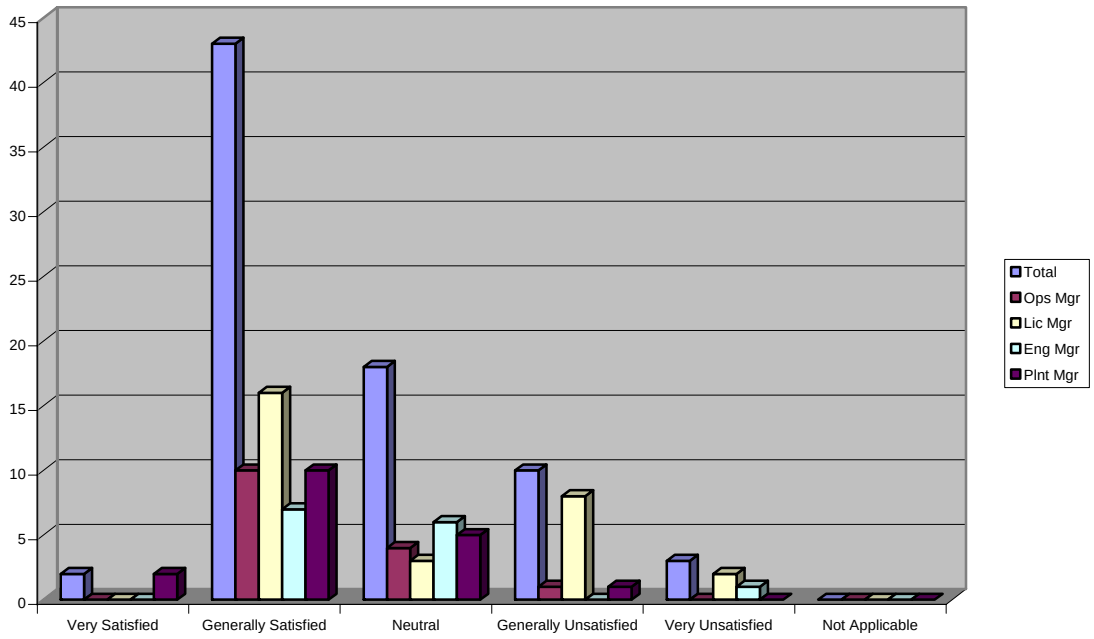

Figure 16: Question No. 13 Responses

Open End Question 1: If you were dissatisfied, please let us know what you think could be improved?

We have noted a decrease in NRCs willingness to act on issues that appear to carry additional public attention. In general, many actions that could be resolved in a straight-forward manner are taking more than six months. Further, there is a tendency at the policy level to exclude industry participation, which is resulting in poorer products and more interactions between NRC and licensees to resolve implementation issues. Many of those issues could have been resolved earlier so that no single docket would have been burdened.

Better understanding of the licensing bases that older plants used and the analyses techniques which provided margins to address issues. Current codes and techniques were not available to early licensees, but this shouldn't be a ratchet for re-analyses. Another area is older safety evaluations which were based on a broad approach to an issue and which might credit actions or assumptions which are conservative but not the most current way of doing things.

NRC staff seems to believe that RAIs are a requirement for any licensing action. Licensing actions on an identical unit at the same site get questions different from previous approval. Frequently questions are not critical nor are they used in the conclusions for the action.

Stability of NRC personnel in their positions contributes greatly to the problems that create my dissatisfaction. Frequent shifting of project managers forces unnecessary expenditure of resources to train the individuals on plant specific details that are necessary to carry out their duties.

The use of precedence in licensing actions has improved has not achieved the level of effectiveness that is necessary. Reluctance is most prevalent with technical reviewers than with project managers. Suggest that clear expectations be developed and that formal training be provided.

We sometimes have to unnecessarily repeat answers to NRR staff regarding RAI responses.

In general, first and second level supervision rarely seem to be engaged in oversight and control of their staff. Frequent rotations of supervision and the use of "acting" sections chiefs leaves the staff without effective supervision

The RAI process is an example of where the involvement of supervision is questionable. Often, due to poor schedule performance, there is insufficient time for formal RAIs to be signed out; therefore, RAIs come by email. When this occurs, there is no evidence that supervision has had an opportunity to critically review the RAIs to keep the staff on point regarding the need and validity of the questions.

In a more glaring example current approved NUREG ITS wording was proposed as part of a License Amendment regarding the Design Features of the plant. The plant is an ITS plant, however, the staff reviewer required the licensee to delete a sentence from the standard approved wording, "because he never agreed with the standard wording." The reviewer's section chief and the PM were both on the phone call when this was discussed. The need to delete parts of the standard wording was identified in an RAI. What good is standardization?

NRR project management is lacking in focus and drive. In some cases license submittals were not noticed in the FR because the PM forgot. PMs seem to throw amendments to the wind and allow all disciplines review vs. what is needed, driving up the cost significantly. In one case review of a TSTF where the licensee did not deviate at all (EFCV surveillance interval) resulted in $45,000 in review fees. Communications with the PM can be difficult. Voicemails and emails are not answered without several attempts. In the inspection arena issues arise that are not based in regulation. Inspectors readily admit they are carrying the torch for an NRR reviewer and the issue is not theirs, nor due they agree with it (regulating through inspection). The fire protection branch is redefining regulation through their interpretations. It appears nothing prior to 2000 has any meaning.

License reviews are slow and in some cases, NRR seems unwilling to meet and discuss what is needed to complete review. I would like to see more direct interaction to promptly resolve questions and ensure that it is clearly identified what actions are needed by NRR and by the licensee to satisfactorily complete license reviews. Assigned NRR project manager is frequently unavailable or very slow to respond.

The NRC is not effectively utilizing precedents when reviewing licensing submittals. The NRC often requests additional information that was not asked of a previous submittal on the same issue.

Open End Question 2: Provide any additional comments.

NRR at the Project Manager level is very person dependent. Beyond the PM level, support and cooperation is a crap shoot. At times individual NRC staff members demand unreasonable commitments from licensees because they have unchecked power to impose their personal agendas

NRR has improved over that last several years, the above comments are intended to improve existing processes and to use industry resources more efficiently.

Thanks for asking for input.

NRR Project Manager does an excellent job coordinating a challenging workload. He is always available and provide honest estimates for review time.

In the course of RAIs, many questions that get asked by NRR are those that amount to very low or no safety significance.

It would help us out in the budgeting process if the NRC would communicate better regarding the # of reviewer/inspector hours for licensing or inspection activities.

There is a tendency to judge the quality of license submittals (LARs) by the number of RAIs that are developed by the reviewers. However, there seems to be no measure, on the part of the NRC, to ascertain the validity or true need for many of the RAIs. They are often subjective in nature, reviewer dependent, or a result of the experience level of the reviewers. I think we need a more objective measure of submittal quality.

NRC Fees are exceptionally high and no justification for the increases are provided.

In general there is no predictability in the process for individual licensing actions, other than it will not go smoothly and will be a crisis at the end. There also seems to be limited accountability for performance.

Satisfaction with the region and residents is good. The region seems to have a much higher sense of urgency and willingness to communicate/work with the licensee. This generally applies from top to bottom.

3.3.5 Question #14

How satisfied were you with the timeliness of NRC's response to license application, amendment, and/or renewal request?

Very Satisfied	Generally Satisfied	Neutral	Generally Unsatisfied	Very Unsatisfied	N/A
7 (9%)	29 (38%)	22 (29%)	12 (16%)	5 (7%)	1 (1%)

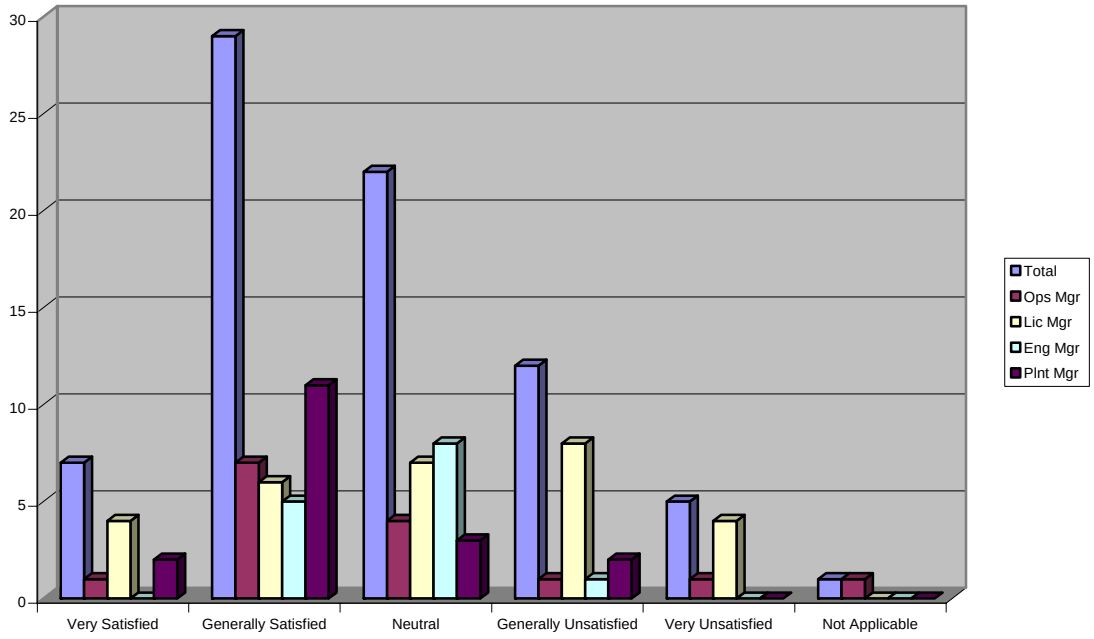

Figure 17: Question No. 14 Responses

Open End Question 1: If you were dissatisfied, please let us know what you think could be improved?

NRC seems to manage to their one and two year schedule indicators. That is only one year schedules unless the licensee makes a specific request. Time is lost in the September to end of the year time frame due to NRR making sure they meet the two year schedule indicator. Other submittals are not worked during that period, which can be a problem for spring outage items.

Timeliness of license amendment needs improvement. Overall cost containment also needs improvement.

NRR rarely if ever meets promised deadlines on licensing activities. Impacts ability to plan refueling outages.

Handling and timeliness of licensing actions is unacceptable. We've had several LARs at NRR for over 2 years without clear resolution, and RAIs continue to arise. In the meantime, we continue to be billed at $156 per hour for who knows what. Also, risk informed submittals are a failure, and we have taken the position of not wasting our time. PRA analysts are unreasonable in their expectations, and the entire review progress boils down to a delta-CDF without benefit of discussing what is the right thing to do.

The license application/change process is very long. Also if a new reviewer gets assigned anywhere along the way the process starts all over.

The timeliness of responses to amendments and requests takes too long. Several requests were submitted to support our Refuel outage. Plans are made based on contingent approval of these requests. These requests are generally approved, however if they were not they could impact outage planning due to the lateness of the approval. More timely responses, either approval or denial, would help with outage planning and ECCS outage planning.

Regarding NRR response to specific licensing actions, schedule adherence within NRR by reviewers and PMs is abysmal. Although schedules are established to meet Licensee requested completion dates, it is normal for those schedules to be exceeded significantly often creating a situation where the licensee is forced to expend significant additional resources to successfully complete the actions to support outage schedules

Timeliness of review of LARs (specifically ones that are generic to the industry and have previously been accepted). Example: RI-ISI program changes at a few sites were previously accepted, however because of a new reviewer within NRC, additional requirements were imposed as part of the approval process after the initial SER approvals were completed for the other sites.

Open End Question 2: Provide any additional comments.

The 1-year review process for License Amendment Requests is very excessive

A power plant plans its activities, yet NRR will not commit to any review schedule (other than the 12 months that its performance indicator calls for). At the same time, if a review looks like it will take longer than the 12 months, NRR will frequently ask a licensee to voluntarily withdraw its request (thereby providing the appearance of meeting NRRs performance goals).

The lack of resources within the NRC appears to be an increasingly severe problem.

Related to that, is the problem of changes in position that occur with changing of the guard.

3.3.6 Question #15

How satisfied were you with the direction the NRC has taken toward incorporating risk-informed and performance-based insights into its regulations and regulatory activities?

Very Satisfied	Generally Satisfied	Neutral	Generally Unsatisfied	Very Unsatisfied	N/A
19 (25%)	31 (41%)	15 (20%)	9 (12%)	2 (2%)	0

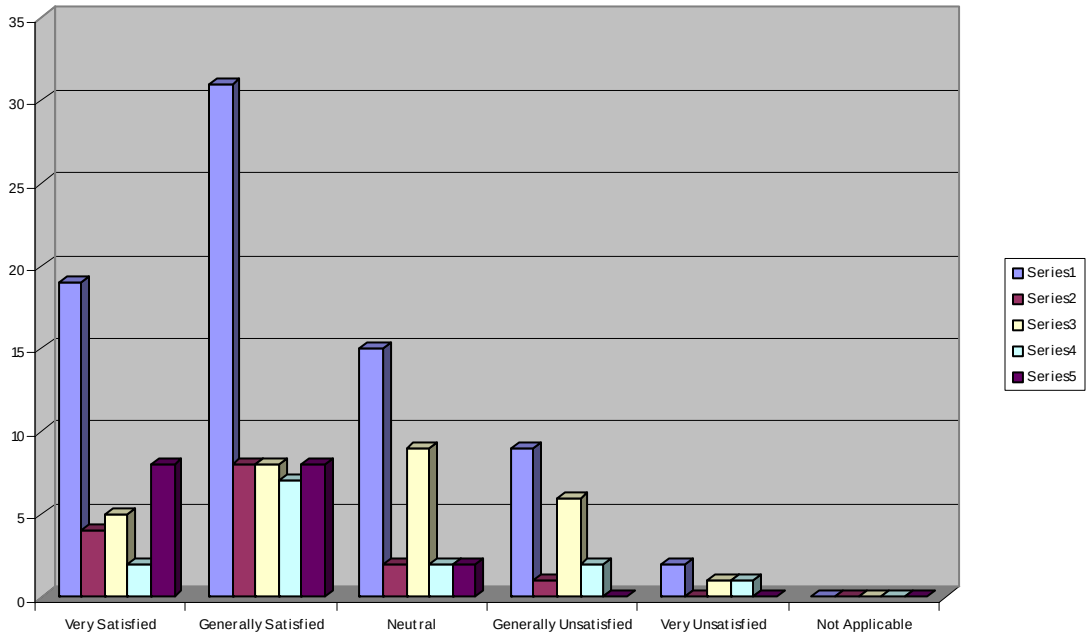

Figure 18: Question No. 15 Responses

Open End Question 1: If you were dissatisfied, please let us know what you think could be improved?

The incorporation of risk insights into the regulatory process is moving too slowly. There are too many obstacles being presented by NRC staff that do not seem to be on board with the process. Take LBLOCA redefinition for example, Commissioner Diaz is in favor of this initiative, but the staff is not on board to the extent that they do not want licensees to make any irreversible changes to the plant based on LBLOCA redefinition. On these terms, it is not worth the effort.

It appears that NRC is talking about Risk-Informed initiatives as being good things that allow more focus on risk-significant issues, yet several of the Risk-Informed initiatives are not being processed in a timely fashion and when they have gone to the Staff, they often become bogged down in minute detail discussions.

Open End Question 2: Provide any additional comments.

The concept of precedent licensing actions as means to gain efficiency has failed miserably. Citing a precedent usually only serves to provide a spring board to escalate to another level of review subjects.

3.4 Other NRR Processes

3.4.1 Question #16

License renewal process.

Very Satisfied	Generally Satisfied	Neutral	Generally Unsatisfied	Very Unsatisfied	N/A
9 (12%)	23 (30%)	15 (20%)	0	0	29 (38%)

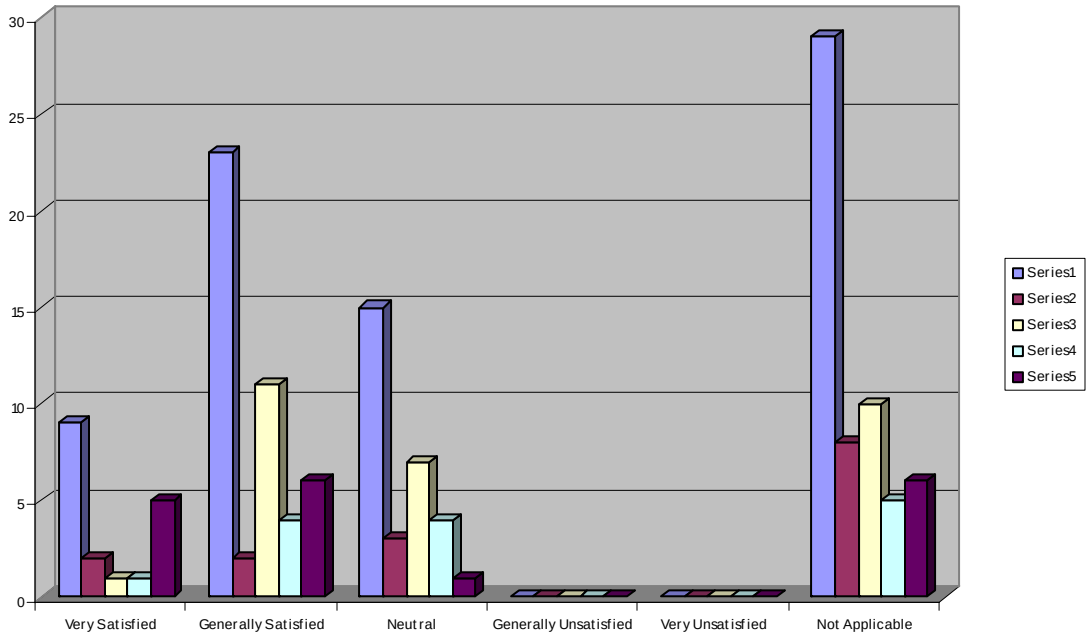

Figure 19: Question No. 16 Responses

Open End Question 1: If you were dissatisfied, please let us know what you think could be improved?

None

Open End Question 2: Provide any additional comments.

None

3.4.2 Question #17

New Construction process.

Very Satisfied	Generally Satisfied	Neutral	Generally Unsatisfied	Very Unsatisfied	N/A
0	7 (9%)	17 (22%)	1 (1%)	1 (1%)	50 (66%)

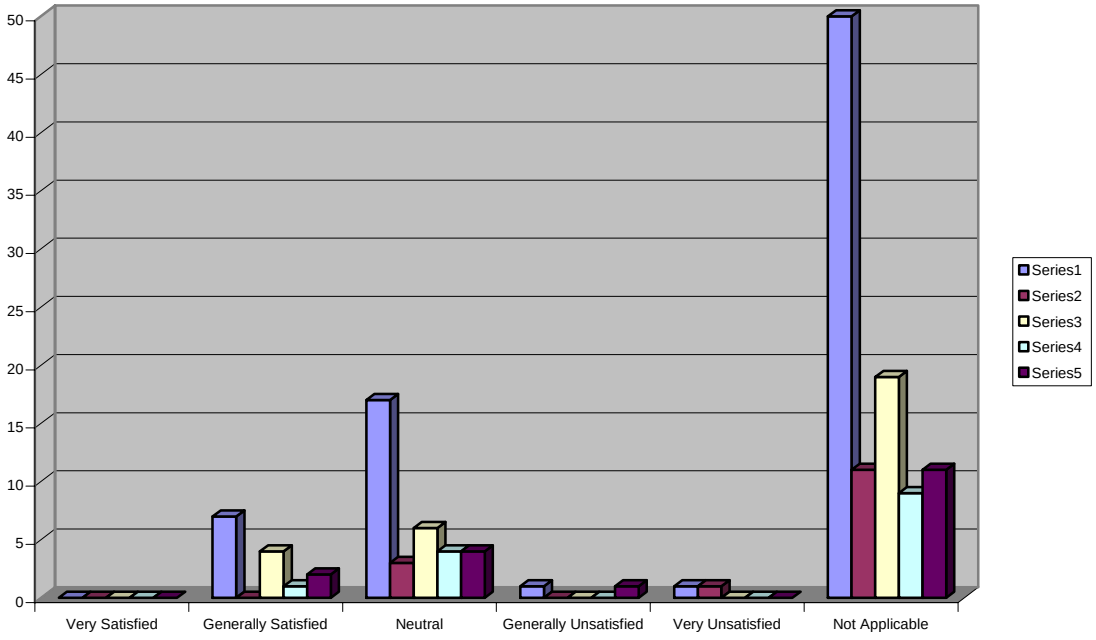

Figure 20: Question No. 17 Responses

Open End Question 1: If you were dissatisfied, please let us know what you think could be improved?

Lack of a federal energy policy that clearly delineates a vision for the role of nuclear energy hampers the effectiveness of all parties in addressing new construction as a priority.

Open End Question 2: Provide any additional comments.

None

3.4.3 Question #18

Reactor pressure vessel integrity activities.

Very Satisfied	Generally Satisfied	Neutral	Generally Unsatisfied	Very Unsatisfied	N/A
2 (3%)	36 (47%)	23 (30%)	6 (8%)	2 (3%)	7 (9%)

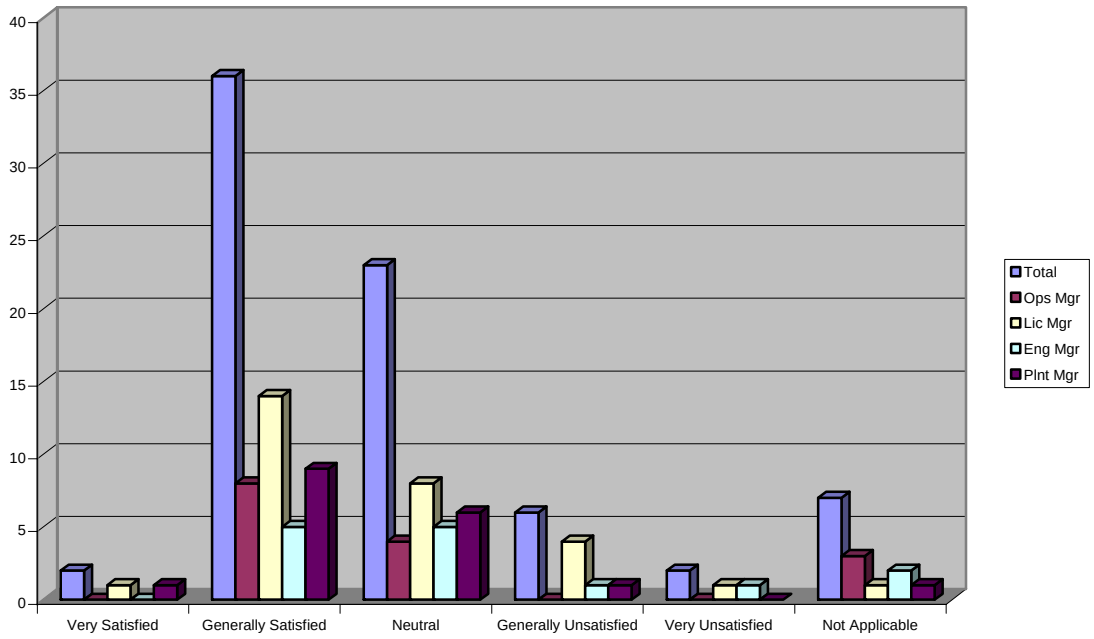

Figure 21: Question No. 18 Responses

Open End Question 1: If you were dissatisfied, please let us know what you think could be improved?

The NRRs handling of the recent RVH inspection relief requests are very shallow and narrow. No reasonableness considered when evaluating the requests and they seem entirely compliance oriented.

The reactor vessel integrity issues are not being adequately addressed since the issue is being driven politically not technically.

Open End Question 2: Provide any additional comments.

None

3.4.4 Question #19

Fire protection activities.

Very Satisfied	Generally Satisfied	Neutral	Generally Unsatisfied	Very Unsatisfied	N/A
0	21 (28%)	23 (30%)	19 (25%)	10 (13%)	3 (4%)

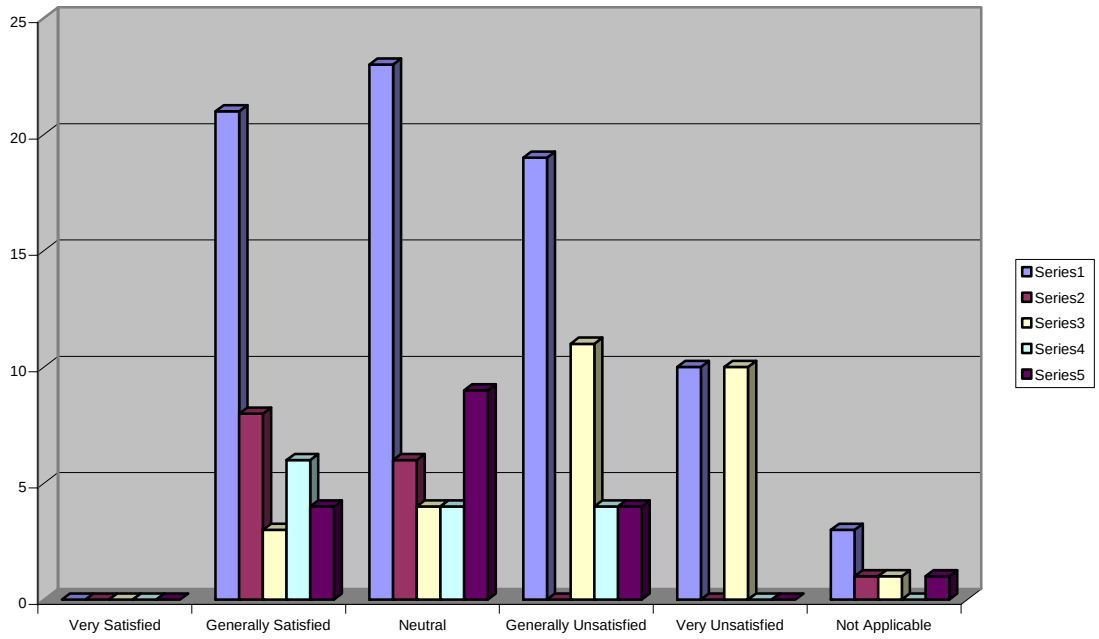

Figure 22: Question No. 19 Responses

Open End Question 1: If you were dissatisfied, please let us know what you think could be improved?

Fire protection has been an industry issue since 1975 and has not been adequately resolved. The industry still does not know the regulatory expectations.

Fire Protection issues continue to drag on forever without any resolution.

Staff reinterpretation of Appendix R III.g.1.a has created chaos in fire protection compliance. During initial compliance the phrase "..systems necessary to achieve and maintain hot shutdown from either the control room or emergency control station(s) is free from fire damage" was the basis for choosing to operate some equipment for post fire safe shutdown at local control stations (such as using breaker open or close mechanisms or valve local push buttons or hand wheels) to achieve certain functions. In plant specific discussions during Thermo-Lag resolution efforts such actions were discussed in meetings with NRR and are reflected in NRC Meeting Summaries, as viable strategies. However, there was never any discussion of needing specific exemptions prior to implementing those actions. Safe shutdown actions developed during those interactions are now being cited as violations

In the fire protection area, the NRC was very slow in addressing key generic technical issues, as well as modifying the FP SDP. In addition, post-inspection resolution of issues was not well supported.

In general the activities in the area of fire protection has been disappointing. It is apparent that regulatory requirements were at one stage being written through inspection and that there was poor consistency between what was acceptable in the past and present. The incorporation of RPA to fire protection issues has appeared arbitrary and confusing. Huge assumptions with little basis in reality appear to be the rule in regard to what is proposed. I have heard comments from the agency's own legal staff which indicated that they felt this area was being poorly coordinated and controlled. This area is being mentioned because in general it appears to be an outlier to the normal professionalism and competence of the staff.

Open End Question 2: Provide any additional comments.

Fire protection inspections have become a huge burden. Inspectors appear to be making new regulatory requirements through inspection and enforcement.

Fire protection issues have been very difficult to resolve in part because of older SERs which are not being accepted coupled with a reluctance from NRC to use PRA evaluations to show acceptable margins on a case basis.

Fire protection - Activities can generally be characterized as a moving target. Staff positions change without backfit considerations.

Fire Protection issues seem to drag on for years w/o firm resolution and appear at times to be a moving target (as new NRR staff FP reviewers come along, the interpretations for compliance with the requirements change). What was acceptable in the SERs of the 1980s and the GL 86-10 interpretations are no longer acceptable to the new regime within NRR. Clearly, backfits are being thrust on the industry in the form of "clarification".

Example: manual actions are acceptable for operator actions within EOPs/emergency space, but not within fire protection - it is not acceptable for the operators to credit manual operator actions in the event of a fire and remain within compliance space for FP rules/regulations! Fire-induced circuit failures issue has been ongoing since 1998, and NEI issued NEI 00-01 in June of 2000, in an attempt to put forth risk-informed guidelines for the industry. NRC has yet to act on NEI 00-01.

3.4.5 Question #20

In general, how would you rate the quality of NRR activities that you have experienced?

Very Satisfied	Generally Satisfied	Neutral	Generally Unsatisfied	Very Unsatisfied	N/A
1 (1%)	48 (63%)	18 (24%)	8 (11%)	0	1 (1%)

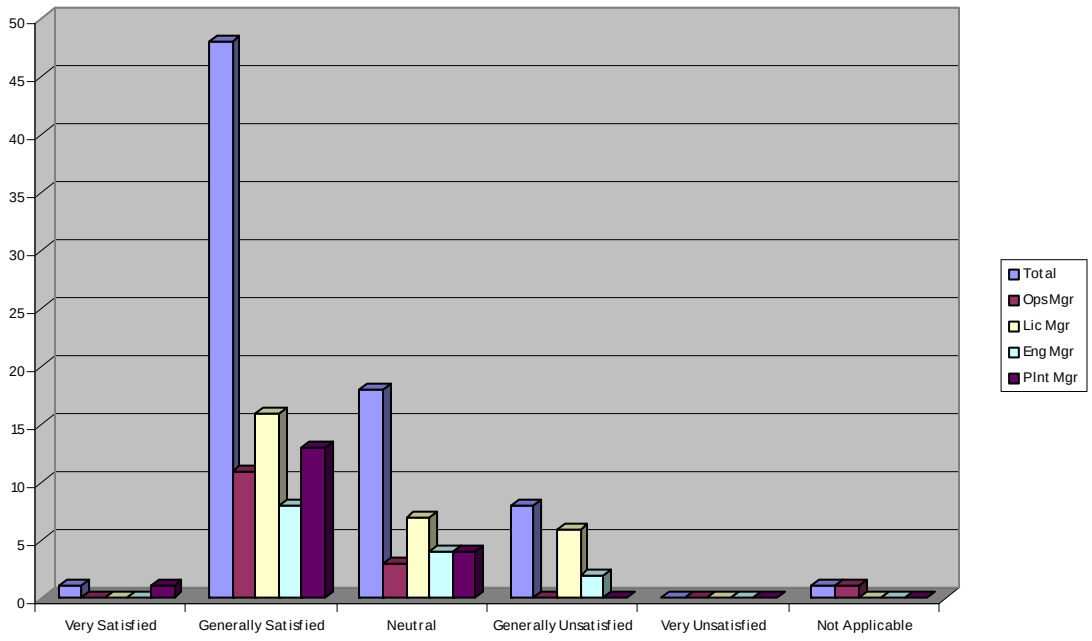

Figure 23: Question No. 20 Responses

Open End Question 1: If you were dissatisfied, please let us know what you think could be improved?

The current Staff actions on the EAL process are unsatisfactory. The Staff should recognize that it is a significant part of the problem and provide blanket enforcement discretion until everyone can review their EAL history and make corrections. The pursuit of enforcement will do no one any good and does not promote safety.

The regions are still too disconnected from Headquarters, and act too independently. Certain regions have their own agenda.

Open End Question 2: Provide any additional comments.

Based upon my dealings with various state and federal regulatory agencies I continue to be impressed with the knowledge and professionalism of NRC employees when compared to the other agencies.

It wouldn't hurt for NRR to admit that it didn't administer the industry requests for EAL changes properly for the past 20 years, instead of burdening the industry in changing them back to something that was not as good as what existed. This created ill will between the sites and the state agencies which we have been working with.

NRR PMs need to visit the site more often

Some important initiatives appear to be loosing momentum. Examples include the Pressurized Thermal Shock rule change and 10-year vessel ISI interval extension.

Emergency Plan EAL change oversight and approval by NRC staff (region and NRR) has been inconsistent. Licensees have been held accountable for not following NRC guidance that has been vague and inconsistent. This is a reflection that too often the NRC does not speak with one voice (as reflected in the Class 3 pinhole leak discussion as well). Seldom does NRC acknowledge that variance in licensee performance or failure to comply may be the result of inconsistent application of inspection guidance or vague documentation.

3.5 Security Related Responses

Several respondents provided comments regarding their satisfaction with nuclear plant security activities; these activities now are the responsibility of a separate NRC Office. For ease of use, these responses are presented below:

Communications on new security orders should be improved. When the orders are issued, the requirements are often unanticipated and very challenging to meet in the time frame allowed. Working more closely with the industry while developing the orders would be helpful in coming up with workable solutions. This would also allow insight from the industry on what is coming and provide more preparation time.

Security orders are constantly changing. This is poor regulation.

Lastly, NRR security is not operating to regulation and the orders are an excessive financial burden for a public owned (civilian) industry. The government (perhaps DOE) should fund this.

There is much concern about the implementation of security orders. It appears that there are considerable changes being made in real time, which is affecting licensee's ability to respond correctly.

New Security Orders could be better communicated. They seem to change frequently and often without warning. Preparations for implementation of the most recent security requirements could have been improved with more timely and complete communications between the NRC and Utilities.

APPENDIX: Responses By Position

Responses By Position: Operations Manager

Question	Very Satisfied	Generally Satisfied	Neutral	Generally Unsatisfied	Very Unsatisfied	N/A
How satisfied were you with informal communication channels (telephone calls, informal meetings, and drop-in visits) with regional and headquarters management?	3	8	4	0	0	0
How satisfied were you with the communication during formal meetings, workshops, and conferences?	4	9	2	0	0	0
How satisfied were you with formal written communications (NRC Generic Letter, Bulletin, Regulatory Issue Summary, Information Notice, and Administrative Letter)?	1	12	2	0	0	0
How satisfied were you with the overall quality of inspections at your facility?	3	10	2	0	0	0
How satisfied were you with the overall frequency of inspections at your facility?	1	10	3	1	0	0
How satisfied were you with the communication skills of the inspectors?	4	6	4	1	0	0
How satisfied were you with the quality of the inspection reports?	4	9	2	0	0	0
How satisfied were you with the significance determination process?	0	10	4	1	0	0
How satisfied were you with the performance indicator process?	1	11	3	0	0	0
How satisfied were you with the quality of NRR written products (generic communications, safety evaluations, etc…)?	0	8	4	1	0	2
How satisfied were you with the communication skills of NRR staff?	0	9	2	0	1	3
How satisfied were you with the NRC-endorsed process to change commitments, which is described in NEI 99-04, “Guidelines for Managing NRC Commitments?”	1	6	5	0	0	3
How Satisfied were you with NRC’s handling of licensing actions?	0	10	4	1	0	0
How satisfied were you with the timeliness of NRC’s response to license application, amendment, and/or renewal request?	1	7	4	1	1	1
How satisfied were you with the direction the NRC has taken toward incorporating risk-informed and performance-based insights into its regulations and regulatory activities?	4	8	2	1	0	0
License renewal process.	2	2	3	0	0	8
New Construction process	0	0	3	0	1	11
Reactor pressure vessel integrity activities	0	8	4	0	0	3
Fire protection activities.	0	8	6	0	0	1
In general, how would you rate the quality of NRR activities that you have experienced?	0	11	3	0	0	1

Responses By Position: Licensing Manager

Question	Very Satisfied	Generally Satisfied	Neutral	Generally Unsatisfied	Very Unsatisfied	N/A
How satisfied were you with informal communication channels (telephone calls, informal meetings, and drop-in visits) with regional and headquarters management?	4	19	2	3	1	0
How satisfied were you with the communication during formal meetings, workshops, and conferences?	3	18	6	2	0	0
How satisfied were you with formal written communications (NRC Generic Letter, Bulletin, Regulatory Issue Summary, Information Notice, and Administrative Letter)?	2	13	12	2	0	0
How satisfied were you with the overall quality of inspections at your facility?	2	21	4	2	0	0
How satisfied were you with the overall frequency of inspections at your facility?	2	18	4	3	2	0
How satisfied were you with the communication skills of the inspectors?	1	17	6	5	0	0
How satisfied were you with the quality of the inspection reports?	3	22	2	2	0	0
How satisfied were you with the significance determination process?	1	12	10	2	4	0
How satisfied were you with the performance indicator process?	3	14	10	2	0	0
How satisfied were you with the quality of NRR written products (generic communications, safety evaluations, etc…)?	1	18	5	5	0	0
How satisfied were you with the communication skills of NRR staff?	1	13	8	5	2	0
How satisfied were you with the NRC-endorsed process to change commitments, which is described in NEI 99-04, “Guidelines for Managing NRC Commitments?”	8	16	3	2	0	0
How Satisfied were you with NRC’s handling of licensing actions?	0	16	3	8	2	0
How satisfied were you with the timeliness of NRC’s response to license application, amendment, and/or renewal request?	4	6	7	8	4	0
How satisfied were you with the direction the NRC has taken toward incorporating risk-informed and performance-based insights into its regulations and regulatory activities?	5	9	8	6	1	0
License renewal process.	1	11	7	0	0	10
New Construction process	0	4	6	0	0	19
Reactor pressure vessel integrity activities	1	14	8	4	1	1
Fire protection activities.	0	3	4	11	10	1
In general, how would you rate the quality of NRR activities that you have experienced?	0	16	7	6	0	0

Responses By Position: Engineering Manager

Question	Very Satisfied	Generally Satisfied	Neutral	Generally Unsatisfied	Very Unsatisfied	N/A
How satisfied were you with informal communication channels (telephone calls, informal meetings, and drop-in visits) with regional and headquarters management?	1	8	5	0	0	0
How satisfied were you with the communication during formal meetings, workshops, and conferences?	1	11	2	0	0	0
How satisfied were you with formal written communications (NRC Generic Letter, Bulletin, Regulatory Issue Summary, Information Notice, and Administrative Letter)?	0	10	3	1	0	0
How satisfied were you with the overall quality of inspections at your facility?	3	8	1	2	0	0
How satisfied were you with the overall frequency of inspections at your facility?	0	7	5	2	0	0
How satisfied were you with the communication skills of the inspectors?	4	5	2	3	0	0
How satisfied were you with the quality of the inspection reports?	2	8	3	0	0	1
How satisfied were you with the significance determination process?	1	7	3	2	0	1
How satisfied were you with the performance indicator process?	1	8	2	1	1	1
How satisfied were you with the quality of NRR written products (generic communications, safety evaluations, etc…)?	0	9	4	0	1	0
How satisfied were you with the communication skills of NRR staff?	0	9	2	2	0	1
How satisfied were you with the NRC-endorsed process to change commitments, which is described in NEI 99-04, “Guidelines for Managing NRC Commitments?”	1	7	5	0	0	1
How Satisfied were you with NRC’s handling of licensing actions?	0	7	6	0	1	0
How satisfied were you with the timeliness of NRC’s response to license application, amendment, and/or renewal request?	0	5	8	1	0	0
How satisfied were you with the direction the NRC has taken toward incorporating risk-informed and performance-based insights into its regulations and regulatory activities?	2	7	2	2	1	0
License renewal process.	1	4	4	0	0	5
New Construction process	0	1	4	0	0	9
Reactor pressure vessel integrity activities	0	5	5	1	1	2
Fire protection activities.	0	6	4	4	0	0
In general, how would you rate the quality of NRR activities that you have experienced?	0	8	4	2	0	0

Responses By Position: Plant Manager

Question	Very Satisfied	Generally Satisfied	Neutral	Generally Unsatisfied	Very Unsatisfied	N/A
How satisfied were you with informal communication channels (telephone calls, informal meetings, and drop-in visits) with regional and headquarters management?	5	9	3	0	1	0
How satisfied were you with the communication during formal meetings, workshops, and conferences?	3	12	1	2	0	0
How satisfied were you with formal written communications (NRC Generic Letter, Bulletin, Regulatory Issue Summary, Information Notice, and Administrative Letter)?	1	12	4	1	0	0
How satisfied were you with the overall quality of inspections at your facility?	2	16	0	0	0	0
How satisfied were you with the overall frequency of inspections at your facility?	2	12	4	0	0	0
How satisfied were you with the communication skills of the inspectors?	3	12	2	0	1	0
How satisfied were you with the quality of the inspection reports?	2	11	5	0	0	0
How satisfied were you with the significance determination process?	2	10	3	3	0	0
How satisfied were you with the performance indicator process?	7	9	2	0	0	0
How satisfied were you with the quality of NRR written products (generic communications, safety evaluations, etc…)?	1	13	4	0	0	0
How satisfied were you with the communication skills of NRR staff?	1	7	9	1	0	0
How satisfied were you with the NRC-endorsed process to change commitments, which is described in NEI 99-04, “Guidelines for Managing NRC Commitments?”	2	8	7	0	0	1
How Satisfied were you with NRC’s handling of licensing actions?	2	10	5	1	0	0
How satisfied were you with the timeliness of NRC’s response to license application, amendment, and/or renewal request?	2	11	3	2	0	0
How satisfied were you with the direction the NRC has taken toward incorporating risk-informed and performance-based insights into its regulations and regulatory activities?	8	8	2	0	0	0
License renewal process.	5	6	1	0	0	6
New Construction process	0	2	4	1	0	11
Reactor pressure vessel integrity activities	1	9	6	1	0	1
Fire protection activities.	0	4	9	4	0	1
In general, how would you rate the quality of NRR activities that you have experienced?	1	13	4	0	0	0