

POLICY ISSUE  
INFORMATION

SECY-00-0102

May 5, 2000

FOR: The Commissioners  
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/RA/  
Advisory Committee on Reactor Safeguards  
Advisory Committee on Nuclear Waste  
SUBJECT: SELF ASSESSMENT OF ACRS AND ACNW PERFORMANCE

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## PURPOSE

The purpose of this paper is to provide the Commission with the results of the ACRS and ACNW self assessment for Calendar Year (CY) 1999 and to describe the actions that the ACRS and the ACNW will take as a result of this self assessment and how future assessments will be reported.

## BACKGROUND

In response to a draft circular from the Office of Management and Budget dated August 3, 1994, the ACRS and the ACNW each reviewed its planned activities and developed performance measures and assessment standards. These were provided to the Commission in a memorandum dated February 14, 1995. Subsequently, as part of the agency's strategic assessment, an issue paper was developed on independent oversight [COMSECY-96-028, Strategic Assessment Issue Paper: Independent Oversight (DSI-19)]. In a Staff Requirements Memorandum (SRM) of August 21, 1996, the Commission requested that each Committee "produce a set of criteria, for Commission consideration, under which the performance of the Committee would be evaluated in the future. The Committee would then periodically perform self assessments using these criteria and provide the results of these evaluations to the Commission."

I responded to this Commission request in a memorandum dated December 23, 1996. Subsequently, the Commission announced the development of an agency-wide Strategic Plan that included a requirement for each NRC Office to prepare an Operating Plan. Because the requirements of the Operating Plan overlapped those of the SRM of August 21, 1996, I met with representatives of each Commissioner's office to discuss performance criteria that would meet both the requirements of the SRM and the Strategic Plan initiative. It was agreed that the ACRS and the ACNW would prepare an Operating Plan that would include self-assessment criteria and other suggestions contained in the SRM.

I provided ACRS/ACNW self assessments to the Commission on June 1, 1998 and on June 18, 1999 ([SECY-98-123](#) and [SECY-99-018](#)). The report of June 18, 1999, contained self assessment summary matrices that provided concise evaluations of the effectiveness of the ACRS and ACNW letters and reports. In the report of June 18, 1999, I requested that the ACRS/ACNW be allowed to replace its separate periodic self assessment report with the ACRS/ACNW Operating Plan. The Commission has agreed (SRM dated August 6, 1999) that the periodic self assessment report and the ACRS/ACNW Operating Plan could be combined into one annual report to the Commission and that this could replace the periodic self assessment report. The Commission stated that this report should incorporate the information included in the self assessment summary matrices. We are in the process of modifying our Operating Plan in accordance with the NRC's new planning initiatives and draft FY2000-FY2005 Strategic Plan and will incorporate this change.

## ACTIONS RESULTING FROM PREVIOUS SELF ASSESSMENTS

I reported to the Commission on the results of the self assessments conducted in CY 1997 and CY 1998, including areas for improvement ([SECY-98-123](#) and [SECY-99-018](#)). Both Committees have addressed the issues that were raised by the stakeholders. Both Committees have placed more emphasis on making their letters and reports clear and concise. Feedback from staff and the evaluations of the Executive Director for Operations' (EDO's) response to the Committee's letters and reports were used to assess these qualities. Both Committees have devoted more time to ensuring that Commission and EDO priorities are understood and are adequately considered in setting the Committee's agendas. The Chairman's Tasking Memorandum and discussions with Commissioners and their staff, the NRC staff, and other stakeholders were used to support this work. The ACRS focused its resources on the review of the license renewal applications for Calvert Cliffs and Oconee and other activities (e.g., risk-informed regulation and technical aspects of the revised reactor oversight process) listed in the Chairman's Tasking Memorandum to support the agency's schedules for expedited reviews. The ACNW focused its resources, to a large extent, on the Department of Energy's (DOE's) Viability Assessment for Yucca Mountain repository, other high-level

radioactive waste (HLW) matters, and decommissioning issues. Both Committees have included time for more discussion of forward-looking issues in their agendas, interacted with the NRC staff early in the review of complex issues, and utilized white papers to encourage innovative thinking on complex issues.

The ACNW used its Action Plan to prioritize its activities during CY 1999. The feedback that we received from the Commissioners and their staffs indicated that the ACNW had addressed all of the Commission's priority interests that were within the scope of the ACNW's responsibilities. As a result of its observations of international experience and public interactions, the ACNW placed a higher priority on risk communication and last fall conducted a workshop in Nevada with Yucca Mountain repository stakeholders. The ACNW will continue to update its Action Plan periodically and provide this Action Plan to the Commission for comment.

During CY 1999, the ACRS reviewed several regulatory matters, most of which were Commission initiatives in response to Congress and other stakeholders and generated 57 reports. Additionally, the ACRS changed its schedule for the issuance of its annual report on the NRC safety research program so as to provide earlier input into the budget process. The ACRS member who had the lead for the recent report interviewed a number of key stakeholders, including the Commissioners, to obtain their views on how the report could be made more useful to the NRC. The insights were factored into the preparation of this report.

## **DESCRIPTION OF THE SELF-ASSESSMENT PROCESS**

Both the ACRS and the ACNW conduct annual planning meetings during which the Committees review their agendas and methods of operation and set priorities for the future. The ACNW has also established the practice of developing an Action Plan and providing this Plan to the Commission. Both Committees review their schedules and priorities at each full Committee meeting and make adjustments as needed. Changes reflect communications with the Commission, the EDO, and cognizant NRC staff, and input from the Chairmen of Committee Working Groups and Subcommittees. The Committees have instituted procedures for reviewing their activities and monitoring their performance during each of their meetings and have allocated more resources in CY 1999 to interacting with stakeholders and soliciting their views on Committee effectiveness. The ACRS/ACNW Office issues updates to the office Operating Plan, which reflect the ACRS and ACNW review plans, report schedules, and longer term priorities.

The ACRS and the ACNW carefully evaluate their letters and reports to determine whether they contain advice that is: (a) effective and timely, (b) technically sound and reflect state-of-the-art knowledge, (c) clear and concise, (d) relevant, balanced and unbiased, (e) address safety-significant issues, and (f) forward-looking. The letters and reports are also assessed to determine whether they are responsive to Commission and staff needs, are considered in Commission and staff decisions and are incorporated into NRC policies, programs, and regulations. These assessments have been based on the following: (a) evidence that the advice was accepted or adopted, (b) solicited feedback from stakeholders, and (c) unsolicited feedback.

Matrices in which the content and impact of ACRS and ACNW letters and reports are summarized were used in the CY 1998 ACRS/ACNW self assessment. At the Commission's request, these summaries were also used for the CY1999 self assessments. The matrices have proven to be a valuable tool for the analysis of Committee effectiveness and for the communication of information.

Feedback was solicited from a variety of stakeholders for the CY 1999 self assessment and was a significant expansion of similar efforts in the past. The stakeholders interviews included Commissioners and their staffs, former ACRS members, NRC staff, staff from other Federal Government agencies, members of state and local governments, members of public interest groups, and members of the regulated industry. These interviews provided useful insights that were addressed by the ACRS and the ACNW during the Committee retreats.

## **RESULTS OF CY 1999 SELF ASSESSMENT**

The ACNW held an annual planning meeting in February 2000, during which it assessed its priorities and operating processes. As part of its self assessment, the ACNW prepared a matrix of its reports, as it did for CY 1998, assessing the effectiveness against the goals and objectives in its 1998 Action Plan. This matrix is included as Attachment 1. This self assessment has led ACNW to conclude that its advice is generally timely, is focused on the priority issues identified in the Action Plan, and is being used, as appropriate, by the NRC staff and the Commission in their regulatory decisions. Interactions between the ACNW and its stakeholders have been open and professional, and the ACNW is viewed as an important contributor to the open discussion and resolution of issues. A number of external stakeholders commented very favorably on the ACNW's willingness to provide a forum for the discussion of their views and a window on Commission activities in waste management areas. The ACNW has issued its Action Plan for CY 2000 on April 18, 2000. The focus of the ACNW's efforts in CY 2000 will be on HLW issues and decommissioning.

Feedback received from stakeholders on the ACNW was generally very positive. Criticisms tended to be unique to an individual stakeholder and not recurring. The ACNW reports were judged to be well written, to provide adequate explanations for the conclusions and recommendations, to be focused on relevant issues, and to have improved over the past few years. Feedback received from the Commissioners and their staffs indicated that in CY 1999, the ACNW had addressed all of the Commission's priority interests that were within the scope of the ACNW's responsibility. The ACNW is viewed as providing valuable input to the solution of waste management safety issues. Comments were received from some Commissioners to the effect that the ACNW was sometimes not current on the status of particular issues. ACNW will focus on this criticism during CY 2000. The ACNW will continue to work with the Office of Nuclear Material Safety and Safeguards (NMSS) staff in keeping itself informed

through meetings with the NMSS staff, through attendance at public meetings, and through access to predecisional documents. The ACNW did receive some Commissioners' comments related to its presentations and discussions at public Commission meetings and will attempt to develop agendas that allow sufficient time for discussions.

The reaction of stakeholders to the ACNW's recent risk communication workshop and interactions with Yucca Mountain stakeholders was very positive. Some stakeholders stated that it would be useful if the ACNW met more frequently in Nevada. Because of resource constraints, the ACNW does not plan on having additional meetings in Nevada, but will make use of video teleconferencing to provide enhanced interactions with the Nevada stakeholders.

Some stakeholders stated that decommissioning is an area in which the ACNW should devote more effort. We are currently developing an action plan that will identify and allocate resources for ACNW and ACRS review of selected decommissioning issues. We have also established a Joint ACRS/ACNW Subcommittee that will help coordinate work on decommissioning issues between the two advisory committees.

The ACRS held a planning meeting in January 2000 during which it, like the ACNW, assessed its priorities and operating processes. As part of its self assessment, the ACRS prepared a matrix of its reports, which is included as Attachment 2. This self assessment has led the ACRS to conclude that its reports are generally clear and have a positive impact on the regulatory process. Most stakeholders view the ACRS as knowledgeable and fair in its consideration of different points of view.

As in the past, some stakeholders expressed a concern that the ACRS's early involvement in the NRC staff's development of a regulatory position either had or created the perception of a negative impact on ACRS independence. Other stakeholders believed that early involvement by the ACRS improved communications and provided ACRS input when it was the most efficient and effective. The NRC staff who worked with the ACRS or the ACNW on reviews in which there was early Committee involvement tended to be very positive regarding the benefits of early Committee involvement in complex technical issues. The ACRS believes that the timing of Committee involvement (early or otherwise) is a separate issue from ACRS independence and believes that early involvement is, in the balance, the best approach for the resolution of complex issues. The Committee will continue to maintain an awareness of the need to preserve a level of independence in its reviews. Early involvement of the ACRS in the review of regulatory positions will be employed when the Commission or the Committee decides that this is effective.

The ACRS believes that it is most effective when it involves itself in the resolution of broad technical issues, such as the use of defense in depth and the development of a risk-informed

10 CFR Part 50. In the future, the ACRS will look for more opportunities to increase its involvement on important technical issues and will minimize its involvement in routine matters, such as rules and regulatory guides addressing routine and process issues. Examples of areas in which the ACRS will work to increase its involvement are risk-informed initiatives for improving existing regulation (examples are 10 CFR Part 50, pressurized thermal shock technical basis reevaluation project, and decommissioning), future NRC research needs, risk-based performance indicators, Probabilistic Risk Assessment-quality standards, human performance, digital instrumentation and control, transient and accident analysis code certification, and the emerging uses of mixed-oxide fuel and high-burnup fuels.

A concern was raised by ACRS members and some stakeholders about the large number of reviews that the ACRS had engaged in during CY 1999, as a result of Commission and staff requests. (The ACRS issued 57 reports in CY 1999.) It was suggested that the large number of reviews had diluted the Committee's ability to take an in-depth look into some significant issues. Related to this concern was that the ACRS needed to establish value-added-based criteria for when to end its reviews of certain issues. In part, the number of reviews conducted by the ACRS in CY 1999 was the result of the need for Committee support of a large number of Commission and NRC staff commitments made to Congress and other stakeholders. The ACRS believes that it can now return to a mode of operation that will afford a more in-depth look into issues, when warranted. To support this effort to devote more resources to these in-depth reviews, the ACRS will, except when requested by the Commission and sometimes the EDO, essentially end ACRS review efforts on technical issues when such issues have been resolved satisfactorily and the staff is looking at implementation. The Committee will continue to systematically assess how it, as a Commission-level advisory committee, can add value to an issue, prior to agreeing to review a particular matter.

The ACRS, in accordance with 10 CFR Part 54, is required to review each license renewal application. These reviews have the potential for using a significant portion of ACRS resources. The ACRS is concerned that the expected number of these reviews will strain the ACRS resources and detract from its ability to address broad technical issues such as those discussed above. The ACRS has worked in CY 1999 to streamline its process for reviewing license renewal applications and will use the experience gained in its reviews of the Calvert Cliffs and Oconee applications to further improve its process. We have developed a plan for future reviews based on its work with Calvert Cliffs and Oconee and has shared this plan with the Commission and the EDO. The ACRS will further test and refine this approach in its review of the next license renewal application.


With the current changing regulatory environment, the ACRS believes that it is important to be aware of plant operations issues, taking into account the concerns of the regional offices and Headquarters staff involved in the analysis of operating events, the industry and licensees, and public interest groups. The ACRS plans to continue to interact with these groups in the future and is in the process of evaluating its action plan for such interactions. We plan to conduct some of this interaction within the framework of the ACRS license renewal application reviews. The ACRS will augment its annual visits to a Region in connection with its Fire Protection Subcommittee and Plant Operations Subcommittee activities with visits to plants submitting applications for license renewal.

The feedback that the ACRS received on its most recent annual research report to the Commission has provided useful insights as to how the report can be improved and made more useful to the Commission and the staff. The ACRS plans to continue to solicit this type of feedback and to incorporate the insights obtained into future reports.

## SUMMARY

Results of the ACRS and ACNW self assessments have shown that both Committees add value to the regulatory process and contribute to the accomplishment of the NRC mission. Each Committee has, in response to the Commission's request, established goals for assessing its performance and has developed procedures for measuring the achievement of those goals. The ACRS and the ACNW have surveyed stakeholders, identified areas for improvement, and will take steps to increase their efficiency and effectiveness. The Committees will continue to monitor the efficiency of their operations and make improvements as warranted.

Attachments:

1. [ACNW Summary Matrix](#) 
2. [ACRS Summary Matrix](#) 

cc:

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EDO