



# **Report on the Differing Professional Views/Opinions Program at the NRC**

**2002 Special Review Panel**

# **2002 DPO Special Review Panel Members**

- **James Fitzgerald**
- **Bruce Boger**
- **E. William Brach**
- **John Craig**
- **Elliott Greher**
- **Bruce Mallett**
- **Chairperson,  
– OI**
- **NRR/DIPM**
- **NMSS/SFPO**
- **EDO**
- **NTEU**
- **RII**

# **Special Review Panel (SRP)**

- **Convened pursuant to MD 10.159**
  - **SRP Charter**
    - **Assess DPV/DPO Process**
    - **Review Files for Recognition**
    - **Recommend Improvements**

# **SRP Methodology**

- **Reviewed previous SRP reports and DPV/DPO Case files**
- **Reviewed OIG Audit Report and consulted with OIG auditors**
- **Interviewed program participants and Agency managers**
- **Reviewed other Federal agencies' DPO programs**

# **SRP Findings (general)**

- **Conclusions consistent with  
OIG Audit Report**
- **Effectiveness**
- **Organizational climate**
- **Understanding of the process**

# **SRP Findings (specific)**

- **Current process lacks agency level oversight**
- **Current process is duplicative and could be more effective**

# **SRP Findings (specific) (continued)**

- **MD 10.159 time frames are not being met**
- **No points defined for information exchange**
- **Open discussion of views important to safety culture**

# **FINDING: RECOMMEND:**

**Current  
process lacks  
agency level  
oversight**

- Establish an  
Agency-level  
DPO Program  
Manager  
(DPOPM)**



# **FINDING: RECOMMEND:**

**Current  
Process is  
duplicative  
and could be  
enhanced**

- Revise current process**
- Eliminate DPV step**

# **FINDING: RECOMMEND:**

**Current  
process is  
duplicative  
and could be  
enhanced**

- Define appeals process**
- Eliminate periodic SRP**

# **FINDING: RECOMMEND:**

**MD 10.159  
timeframes  
are inflexible  
and are not  
being met**

- Maximum  
timeframes  
should be  
clearly  
defined**

# **FINDING: RECOMMEND:**

**MD timeframes  
are inflexible  
and are not  
being met**

**- Procedures for  
case transfer  
are required**

# **FINDING: RECOMMEND:**

**MD  
timeframes  
are inflexible  
and are not  
being met**

- Track DPOs in Op Plans**
- Restrict DPO Process to DPO submittals**

# **FINDING: RECOMMEND:**

**MD timeframes  
are inflexible  
and are not  
being met**

**- Disallow  
expansion of  
issues past  
those initially  
presented**

# **FINDING: RECOMMEND:**

**No clearly defined points for information exchange**

- Ad hoc panels meet with filers to define scope of issues**

# **FINDING: RECOMMEND:**

**No clearly defined points for information exchange**

**- Clearly define roles in information exchange**



# **FINDING: RECOMMEND:**

**Candid, open discussion of issues is an important and necessary element of NRC's safety culture**

- Require informal discussion prior to filing a DPO**

# **FINDING: RECOMMEND:**

**Candid, open discussion of issues is an important and necessary element of NRC's safety culture**

- Emphasize that the process is to be used without fear of retaliation**

# **FINDING: RECOMMEND:**

**Candid, open discussion of issues is an important and necessary element of NRC's safety culture**

- Institute proactive education and training**
- Directly link recognition to DPO submittal**

# **SRP Conclusions**

- **Establish an Agency-level DPO Program Manager (DPOPM)**
- **Drop the DPV step from informal discussions**
- **Add a DPO appeal process**
- **Eliminate the periodic Special Review Panel**

# **SRP Conclusions(cont)**

- **Allow flexibility in timeframes – within the 120 day maximum**
- **Clearly define roles and points for information exchange**
- **Require informal discussion before DPO filing**
- **Take steps to minimize fear of retaliation**