

FEEDBACK FROM PUBLIC AFFAIRS OFFICERS ON INITIAL IMPLEMENTATION OF ROP

**Presented by Victor Dricks 2/27/01
Reactor Oversight Process Initial
Implementation Evaluation Panel**

1. What level of interest is there by the media in the new process (i.e., do you get many questions about plant performance or about the oversight process, itself)?

Interest in the process itself has been minimal. Reporters only ask questions about the new process when there's a specific reason. i.e. a significant finding.

In the past, we would receive phone calls from reporters when we issued press releases announcing fines of any significance, generally \$100,000 or above. We have not issued enough press releases regarding enforcement actions under the new oversight program to get a good sense of how most reporters view the new system. (Indeed, the number of press releases about specific plants has dropped dramatically under the new program.) As a stand alone proposition, the level of interest in the new program appears to be minimal, as was demonstrated by the rather sparse media turnout at the meetings about the new program held at plants across the country. But again, it's not surprising that reporters would show little interest in a program that has little direct relevance to them unless they are writing a story about why the plant they cover is the subject of an enforcement or other action.

We get no questions on the oversight process. Period. Only on the results of the oversight process. The media and public don't give a whit about what kind of inspection and assessment program we have; they just want us to have one that works. The news coverage of one plant's "white preliminary finding" regulatory conference didn't even mention the "white finding" (which would lead to another inspection) until the end of the news story. What can you write about a bunch of green squares on a computer screen? There is coverage only when we point out to the news media that something is white, yellow, or red. (I have never had an inquiry when a finding or performance indicator is posted on the web - the trigger point is the news release.) Questions on performance are largely event driven rather than some sort of overall assessment - perhaps because we offer no overall assessment unless you find the following sentence useful and understandable: "Plant performance for the most recent quarter was within the Licensee Response Column of the NRC's Action Matrix, based on all inspections findings being classified as having very low safety significant (Green) and all PIs indicating performance at a level requiring no additional NRC oversight (Green)." That's from the typical PPR letter.

The new ROP makes it a lot harder to rate the performance of a plant and to compare it to other plants. I sometimes say simply that all their performance indicators are green, which means they are performing up to NRC safety expectations.

2. Is there more or less interest in/reporting of plant performance with the new ROP?

There is, generally speaking, great indifference to the new plant performance data. When the vast majority of the performance indicators are green, it makes it awfully difficult for a reporter (or a member of the public, for that matter) to get an accurate read on how the plant or plants they cover are performing. Under the former program, reporters could rummage through the SALP reports and get a better feel for whether different aspects of performance were declining, improving or staying the same from one assessment period to the next. Now any nuance gets lost in a sea of green indicators. The letters containing information about quarterly performance assessment are almost devoid of details. It's also worth noting that when we issued SALP reports, we would issue a press release informing reporters who covered specific plants that the information was now available. These days, we issue a general press release for all of the plants letting reporters know the data is posted. It's probably inevitable that a general press release would garner less attention than ones targeted at specific plants. On the positive side, the few reporters who do check the performance indicators section of our external web site seem to appreciate that the information is more timely. They also like the fact that it places inspection reports at their fingertips.

Less, although this could also be a factor of improved performance of some of the plants in my region.

3. Can you tell whether the new information on plant performance has contributed to more accurate stories?

Across the board, no. As a matter of fact, reporters have a hard time understanding that a "red" is a "finding"----- not an overall assessment of plant performance. They understood salp, where we gave a grade in a list of areas. They don't understand "green."

It's still probably too early in the new program to assess this on a comprehensive basis. But anecdotally, the new program has definitely generated confusion when reporters try to make sense of enforcement actions. A vivid example is the "red" finding we issued to Indian Point 2 over its steam generator tube inspections in 1997. One TV reporter traveled from New York to interview the regional administrator about what the finding meant. When the administrator tried to put the finding into context and downplay its significance, the reporter became more and more bewildered. Does this mean the NRC could shut down the plant, the reporter wanted to know? We're a long way from that, the administrator responded. Well, isn't this a big deal since this is the first red finding

issued by the NRC under the new program, the reporter asked? Not really, the administrator responded, it's just one part of our assessment of the plant. What's important to remember is that the plant is safe to operate, the administrator said repeatedly. Given that one of the biggest selling points of the new program was that we could shut down a plant for red findings, I could understand why the reporter was perplexed. Other reporters have referred to the NRC giving Indian Point 2 a "red flag" or putting the plant on its "red list." I'm sure the only impression the public is left with is that the NRC considers the plant to be bad. In other words, the press has had a hard time getting its hands around how the new program works in terms of enforcement. The fact that many staff members still seem to be confused about how many red findings it would take to shut down a plant, what the true net effect is of a red finding versus a yellow finding, and other issues, surely doesn't help. More education of the staff on the new program would probably help the situation.

No. I am not certain the new plant performance information is a factor in the accuracy of stories. Much of the content of the stories still depends on discussions with the NRC staff and the utility in order to provide context and explanation. If anything, I suspect that the color scheme has sufficiently obscured the findings so as to result in less coverage of plant performance.

Everything is a lot less clear for the media than it used to be. Before, we had a number grade from SALP, we issued fines when something went wrong, and it all seemed easy. Now, we have a press release announcing white findings, but there won't be a fine or a drop in SALP grade, just a change to white in one cornerstone; and it's harder for a reporter to put all this in understandable context. Given their negative bias, it probably results in more negative story potential than before.

4. What questions are we getting from the press about the ROP?

Not many.

5. *Is it easier or more difficult to explain to reporters what a plant assessment means under the ROP or how the ROP works? Is the information useful in doing your job?*

It was easy to explain things under the old program, where we had severity levels and letter grades. Also, it's difficult to get people to understand that increasing our level of inspection is the outcome of a "red" finding ---- but a fine is not. I don't think anyone is buying our reasons for dropping fines.

More difficult. In theory, it should be easier. That is, a system that uses a progression of colors to indicate how a plant is performing would, on its face, seem to be pretty transparent. The problem is the vast majority of the performance indicators are green,

which gives the impression that almost all of the plants are doing just splendidly. Bad performers end up in the same sea of green as the good performers. As I mentioned in a previous answer, any nuance is lost. With the issuance of fines under the previous program, reporters had something concrete they could get their hands around. Now, we offer up colors -- the impact of which some inside the agency don't even understand. More difficult, if we are comparing the ROP to the SALP/Watch List process. Try to explain a "preliminary" white finding to a reporter - or, even more challenging, try to explain what the NRC is going to do if the white finding survives the complicated process of reviews, regulatory conferences, and more reviews. The reporter's question after yesterday's regulatory conference - Will there be a fine? Enforcement action has become an additional meeting, an inspection, and maybe a news release. Similarly, try to interpret that sentence above from the latest Plant Performance Review letter. How's the plant doing? Oh, it's "within the Licensee Response Column of the NRC's Action Matrix." The PPR letter is nothing more than a transmittal letter with the inspection plan. We shouldn't try to sell it as performance assessment.

While trying to provide the public with lots of detailed information about our processes is noble, the bottom line is neither the public nor certainly the reporters who are working on daily deadlines want to plow through layers and layers of details about the process to get to the crux of the matter - is the plant safe? Were there problems at the plant that could have and should have been addressed better, and what are we (the NRC) doing to ensure that an identified problem won't happen again?

It's more difficult in one sense to explain what a plant assessment means under the new system, but then we don't have the falsely simple number grade we had before. I have explained a number of times how we rate plants on many performance indicators, the colors are updated every quarter, so instead of a number every 18 months we have a continuous process that lets everyone know how a plant is performing right now. I think it will be useful information when we look at it in that context.

The new program makes it harder.

6. Do you have any indication that the new process and the information on assessments has helped or hurt public confidence in the NRC?

My gut tells me public confidence is, on the whole, weakened. The view on the part of some -- one that was confirmed in a highly critical news story last year -- is that the NRC has yielded to industry pressure by doing away with fines, reducing the number of hours of inspection and most likely trimming the number of resident inspectors. Yes, there are improvements as a result of the new program, two clear examples being more timely information on plant performance and less subjective enforcement actions. Reasonable people can disagree, but I think many have or will look at what the NRC has given up and come to the conclusion that the agency is a less robust regulator than in the past.

I suspect that we're in a honeymoon period, and that few people realize what the program is all about. If there is some sort of an event that stirs folks up, that may change things. If the industry continues to perform well, then we may have few second guessers. The ROP hasn't hurt confidence, at least thus far. But confidence and credibility are built on performance, not programs.