

October 13, 2005

SUBJECT: SOLICITATION OF PUBLIC COMMENTS ON THE 2005 IMPLEMENTATION  
OF THE REACTOR OVERSIGHT PROCESS

The Nuclear Regulatory Commission (NRC) continues to seek to improve its approach to inspecting and assessing the operation of commercial nuclear reactors. The Reactor Oversight Process (ROP) approach is based upon many years of inspection, regulatory, and plant operating experience. The ROP has been in effect at all commercial operating nuclear power plants since April 2000. It is briefly described in the attached Federal Register Notice (FRN).

To continue to improve the ROP, the NRC is requesting feedback from the public and other external stakeholders in the attached Federal Register Notice. A summary of the feedback obtained will be included in the annual ROP self-assessment report and will be provided to the Commission.

We welcome your comments and insights on the ROP. The attached FRN lists questions on which the NRC is specifically seeking public comment. An electronic version of the survey questions may be obtained from <http://www.nrc.gov/NRR/OVERSIGHT/ASSESS/rop2005survey.pdf>. Please send us your response by December 1, 2005, either by e-mail to [nrcprep@nrc.gov](mailto:nrcprep@nrc.gov) or via the U.S. Postal System to:

Michael T. Lesar  
Chief, Rules and Directives Branch  
Office of Administration (Mail Stop: T6-D59)  
Nuclear Regulatory Commission  
Washington, DC 20555-0001

Thank you for your interest in our Reactor Oversight Process.

*/RA/*

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Stuart A. Richards  
Office of Nuclear Reactor Regulation  
Division of Inspection Program Management  
Inspection Program Branch

Attachment: Federal Register Notice Soliciting Public Comments on the Implementation  
of the Reactor Oversight Process

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Distribution:

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**ADAMS ACCESSION NUMBER: ML052860373**

OFFICE	NRR/DIPM/IIPB	NRR/DIPM/IIPB-SC	NRR/DIPM/IIPB-BC
NAME	SSanders	JAndersen	SRichards
DATE	10/5/05*	10/12/05	10/13/05

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**U.S. NUCLEAR REGULATORY COMMISSION**

**SOLICITATION OF PUBLIC COMMENTS ON THE IMPLEMENTATION OF THE REACTOR  
OVERSIGHT PROCESS**

**AGENCY:** U.S. Nuclear Regulatory Commission.

**ACTION:** Request for public comment.

**SUMMARY:** Over five years have elapsed since the U.S. Nuclear Regulatory Commission (NRC) implemented its revised Reactor Oversight Process (ROP). The NRC is currently soliciting comments from members of the public, licensees, and interest groups related to the implementation of the ROP. An electronic version of the survey questions may be obtained from <http://www.nrc.gov/NRR/OVERSIGHT/ASSESS/rop2005survey.pdf>. This solicitation will provide insights into the self-assessment process and a summary of the feedback will be included in the annual ROP self-assessment report to the Commission.

**DATES:** The comment period expires on December 1, 2005. The NRC will consider comments received after this date if it is practical to do so, but is only able to ensure consideration of comments received on or before this date.

**ADDRESSES:** Completed questionnaires and/or comments may be e-mailed to [nrcprep@nrc.gov](mailto:nrcprep@nrc.gov) or sent to Michael T. Lesar, Chief, Rules and Directives Branch, Office of Administration (Mail Stop T-6D59), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Comments may also be hand-delivered to Mr. Lesar at 11554 Rockville Pike, Rockville, Maryland, between 7:30 a.m. and 4:15 p.m. on Federal workdays.

Documents created or received at the NRC after November 1, 1999, are available electronically through the NRC's Public Electronic Reading Room on the Internet at <http://www.nrc.gov/reading-rm.html>. From this site, the public can access the NRC's Agencywide Documents Access and Management System (ADAMS), which provides text and image files of the NRC's public documents. For more information, contact the NRC's Public Document Room (PDR) reference staff at 301-415-4737 or 800-397-4209, or by e-mail at [pdr@nrc.gov](mailto:pdr@nrc.gov).

**FOR FURTHER INFORMATION CONTACT:** Ms. Serita Sanders, Office of Nuclear Reactor Regulation (Mail Stop: OWFN 7A15), U.S. Nuclear Regulatory Commission, Washington DC 20555-0001. Ms. Sanders can also be reached by telephone at 301-415-2956 or by e-mail at [SXS5@nrc.gov](mailto:SXS5@nrc.gov).

## **SUPPLEMENTARY INFORMATION:**

### **PROGRAM OVERVIEW**

The mission of the NRC is to license and regulate the Nation's civilian use of byproduct, source, and special nuclear materials to ensure adequate protection of public health and safety, promote the common defense and security, and protect the environment. This mission is accomplished through the following activities:

- License nuclear facilities and the possession, use, and disposal of nuclear materials.
- Develop and implement requirements governing licensed activities.
- Inspect and enforce licensee activities to ensure compliance with these requirements and the law.

While the NRC's responsibility is to monitor and regulate licensees' performance, the primary responsibility for safe operation and handling of nuclear materials rests with each licensee.

As the nuclear industry in the United States has matured, the NRC and its licensees have learned much about how to safely operate nuclear facilities and handle nuclear materials. In April 2000, the NRC began to implement more effective and efficient inspection, assessment, and enforcement approaches, which apply insights from these years of regulatory oversight and nuclear facility operation. Key elements of the Reactor Oversight Process (ROP) include NRC inspection procedures, plant performance indicators, a significance determination process, and

an assessment program that incorporates various risk-informed thresholds to help determine the level of NRC oversight and enforcement. Since ROP development began in 1998, the NRC has frequently communicated with the public by various initiatives: conducted public meetings in the vicinity of each licensed commercial nuclear power plant, issued FRNs to solicit feedback on the ROP, published press releases about the new process, conducted multiple public workshops, placed pertinent background information in the NRC's Public Document Room, and established an NRC Web site containing easily accessible information about the ROP and licensee performance.

### **NRC PUBLIC STAKEHOLDER COMMENTS**

The NRC continues to be interested in receiving feedback from members of the public, various public stakeholders, and industry groups on their insights regarding the CY 2005 implementation of the ROP. In particular, the NRC is seeking responses to the questions listed below, which will provide important information that the NRC can use in ongoing program improvement. A summary of the feedback obtained will be provided to the Commission and included in the annual ROP self-assessment report.

This solicitation of public comments has been issued each year since ROP implementation in 2000. In previous years, the questions had been free-form in nature requesting written responses. Although written responses are still encouraged, there are specific choices to best describe your experience to enable us to more objectively determine your level of satisfaction.

## QUESTIONS

In responding to these questions, please consider your experiences using the NRC oversight process.

Shade in the circle that most applies to your experiences as follows:

1) very much 2) somewhat 3) neutral 4) somewhat less then needed 5) far less then needed

If there are experiences that are rated as unsatisfactory, or if you have specific thoughts or concerns, please elaborate in the "Comments" section that follows the question and offer your opinion for possible improvements. If there are experiences or opinions that you would like to express that cannot be directly captured by the questions, document that in the last question of the survey.

### **Questions related to specific Reactor Oversight Oversight (ROP) program areas**

(As appropriate, please provide specific examples and suggestions for improvement.)

(1) Does the Performance Indicator Program provide useful insights to help ensure plant safety?

1	2	3	4	5
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments:

- (2) Does appropriate overlap exist between the Performance Indicator Program and the Inspection Program?

1	2	3	4	5
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments:

- (3) Does NEI 99-02, "Regulatory Assessment Performance Indicator Guideline" provide clear guidance regarding Performance Indicators?

1	2	3	4	5
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments:

- (4) Does the Inspection Program adequately cover areas important to safety and is it effective in identifying and ensuring the prompt correction of performance deficiencies?

1	2	3	4	5
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments:



- (5) Is the information contained in inspection reports relevant, useful, and written in plain English?

1	2	3	4	5
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments:

- (6) Does the Significance Determination Process yield an appropriate and consistent regulatory response across all ROP cornerstones?

1	2	3	4	5
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments:

- (7) Does the NRC take appropriate actions to address performance issues for those plants outside of the Licensee Response Column of the Action Matrix?

1	2	3	4	5
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments:

- (8) Is the information contained in assessment reports relevant, useful, and written in plain English?

1	2	3	4	5
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments:

**Questions related to the efficacy of the overall ROP.** (As appropriate, please provide specific examples and suggestions for improvement.)

- (9) Are the ROP oversight activities predictable (i.e., controlled by the process) and reasonably objective (i.e., based on supported facts, rather than relying on subjective judgement)?

1	2	3	4	5
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments:

- (10) Is the ROP risk-informed, in that the NRC's actions and outcomes are appropriately graduated on the basis of increased significance?

1	2	3	4	5
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments:

- (11) Is the ROP understandable and are the processes, procedures and products clear and written in plain English?

1	2	3	4	5
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments:

- (12) Does the ROP provide adequate regulatory assurance when combined with other NRC regulatory processes that plants are being operated and maintained safely?

1	2	3	4	5
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments:

- (13) Is the ROP effective, efficient, realistic, and timely?

1	2	3	4	5
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments:

(14) Does the ROP ensure openness in the regulatory process?

1	2	3	4	5
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments:

(15) Has the public been afforded adequate opportunity to participate in the ROP and to provide inputs and comments?

1	2	3	4	5
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments:

(16) Has the NRC been responsive to public inputs and comments on the ROP?

1	2	3	4	5
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments:

(17) Has the NRC implemented the ROP as defined by program documents?

1	2	3	4	5
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments:

(18) Does the ROP minimize unintended consequences?

1	2	3	4	5
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments:

(19) Please provide any additional information or comments related to the Reactor Oversight Process.

Dated at Rockville, Maryland, this 14<sup>th</sup> day of October, 2005.

For the U.S. Nuclear Regulatory Commission

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