

DS I-12

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**From:** webadmin <webadmin@nrc.gov>  
**To:** WND1.WNP2(secy),NCD1A.ncp2(webadmin)  
**Date:** 10/29/96 7:24pm  
**Subject:** Strategic Assessment (Forms submission)



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Number of the Issue Paper: 12  
Topic: 3 (responsiveness)  
Jmaes Lieberman sent the following comment via the WWW server:

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I am very concerned about an emphasis on risk based regulation for operating reactors. The lessons of Millstone and Haddam Neck as well as Maine Yankee tells me that compliance will be more important as the reactor industry deregulates and is more subject to competition. The idea for performance based regulation works best in my view in industries which are well financed. Maybe performance based regulation would have been ok for plants of yesterday, but today with cost containment and economic pressure, NRC should be focusing on the fundamentals and programmatic issues. We cannot subscribe to the no harm no foul theory which to me is performance based. We must insist that reactors operate by design and not achieve success fortuitously because of margin considerations. I am concerned that the recent IG report on the performance based maintenance rule is misguided and will lead to the wrong result. It objects to the staff's implementation because the staff has taken a compliance approach.

In Millstone there were not a lot of performance problems but we were lucky. I am concerned that a focus on performance rather than root causes of potential problems will lead only to more Millstones. We need to focus not only on the results but also the process, procedures, training, the degree of questioning attitude, self assessments, etc so we can spot programmatic issues before negative results with impact on the public occurs.

In the nuclear business, it is too late when the meltdown occurs. We need to predict problems in advance. Compliance is a tool to do it. The agency needs to recognize this and staff itself accordingly.

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Server protocol: HTTP/1.0

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