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NRC-99-092

Wisconsin Public Service Corporation
(a subsidiary of WPS Resources Corporation)
Kewaunee Nuclear Power Plant
North 490, Highway 42
Kewaunee, WI 54216-9511
920-388-2560

64FR 40394
July 26, 1999
(6)

December 27, 1999

Mr. David L. Meyer
Chief, Rules and Directives Branch
Division of Administrative Services
Office of Administration, Mail Stop T-6 D59
United States Nuclear Regulatory Commission
Washington, DC 20555

Dear Mr. Meyer:

Docket 50-305
Operating License DPR-43
Kewaunee Nuclear Power Plant
Comments on the Reactor Oversight Process

Wisconsin Public Service Corporation (WPSC) would like to take this opportunity to comment on the revised Reactor Oversight Process. Our comments are provided in response to a Federal Register Notice dated July 26, 1999.

WPSC supports the Nuclear Regulatory Commission's (NRC) efforts to reform the regulatory oversight process to focus on safety significant issues. We support the development of performance indicators that monitor safety performance. We are pleased with the development of the new NRC baseline inspection procedures and encourage you to continue with improvements to this process.

We have reviewed the comments provided to the NRC by the Nuclear Energy Institute and the Shadow Plant Program participants (reference letters from Ralph E. Beedle to D.L. Meyer and G.T. Gibson to D.L. Meyer, respectively) and are in support of those comments, with one exception:

> Relative to the concern with "double dipping" performance indicators and inspection findings, it should be possible to be in the licensee response (green) band for an indicator and receive a white inspection finding for the same event. Example, it should be possible to receive a white inspection finding for an occupational radiation exposure occurrence, yet the number of occurrences could be low enough to have the performance indicator in the green band. The inspection finding will focus on the severity of an individual event and the performance indicator will indicate if process improvements are necessary based on the frequency of occurrences.

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We offer the following specific comments in support of those noted in the referenced submittals:

1) The fourteen day requirement for submittal of quarterly performance indicator data is unnecessarily restrictive. A more reasonable time period is 30 days following the end of a quarter. Fourteen days does not provide an adequate amount of time to collect the indicator data and conduct internal reviews and approval without imposing undue hardship on the utility. A 30 day window provides adequate time to ensure the accuracy of the information while still ensuring current information is available for public review.

2) Inadvertent errors in the performance indicator data that do not have a substantial affect on the indicator trend should be considered violations of minor significance.

3) We encourage rework on the security equipment performance indicator and security Significance Determination Process (SDP). The green-white performance indicator threshold is overly conservative. The yellow band should be eliminated, as there would be no significant reduction in safety due to out of service equipment when the proper compensation is provided. The pilot plant feedback on the security SDP has not been favorable and indicates the SDP requires rework.

4) Performance indicators for equipment in general, should measure the capability to provide the safety function, not measure a percent of time available for each piece of equipment.

5) The definition of the term "timely" for the emergency preparedness drill/exercise performance indicator should be revised as suggested by the Shadow Plant Program participants. Emergency action level classifications and protective action recommendations should be made promptly. The performance indicator guideline should not create new time requirements.

6) The development of future performance indicators should be done methodically and should allow feedback from the utilities, as well as "piloting" the indicator, allowing the opportunity to test and make changes prior to full implementation. New indicators should not be introduced until at least several months after implementation of the new process with the current 19 indicators to ensure the plants have demonstrated their ability to collect and submit the requested data.

7) We encourage the continued use of the Frequently Asked Questions (FAQ) process to provide consistent guidance on how to report an indicator.

Lastly, we offer the following comment, which was not noted in the referenced submittals:

8) The most recent plant probabilistic risk assessment (PRA) analyses should be used when preparing risk issues matrices. It is our understanding that the NRC will use the Individual Plant Evaluation (IPE) submittals to determine risk significance. The IPE submittals do not contain the most current information for plant equipment and conditions. WPSC urges the NRC to work with the industry to obtain the most current PRA information when preparing the matrices.

We are encouraged by the improvements the NRC staff has already implemented and we encourage the staff to continue improving this process.

We appreciate this opportunity to provide our comments.

Sincerely,

Kenneth H. Weinkam for ML MARCHI

Mark L. Marchi
Vice President-Nuclear

LAS

cc - US NRC - Region III
NRC Senior Resident Inspector
US NRC - Document Control Desk