

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook
Secretary of the Commission

FROM: CHAIRMAN MESERVE

SUBJECT: SECY-99-227 - N+1 RESIDENT INSPECTOR STAFFING
POLICY

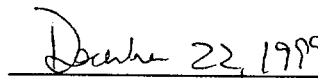
Approved w/comments _____ Disapproved _____ Abstain _____

Not Participating _____ Request Discussion _____

COMMENTS: See attached comments.



SIGNATURE



DATE

Entered on "AS" Yes _____ No _____

CHAIRMAN MESERVE'S COMMENTS ON SECY 99-227

I approve the staff's recommendations for revising the N+1 resident inspector staffing policy at multi-unit sites for the interim period until action is taken on the staffing study due to the Commission in June 2001.

In evaluating the staff's proposal, I have considered the views of my colleagues on the Commission and have discussed the revised policy with NRC management, regional personnel, and members of the resident inspection staff. Although I generally accept the staff's recommendation, I conclude that the issue has less of an impact than appears at first glance. I reach this conclusion based on several considerations.

First, the approval of the staff's recommendation will allow effective application of inspection resources without direct adverse impact on aggregate inspection levels. The N+1 policy provides a guideline for allocating only a portion of the agency's inspection resources -- namely, the resident inspector positions. But, as a result of improved industry safety performance, the need for dedicated on-site inspection staff at the multi-unit sites has notably diminished. And, since the total inspection resources will remain unchanged by acceptance of the staff's recommendations, the agency's ability to complete planned reactor inspection program requirements will not be compromised. Moreover, a departure from the N+1 policy will provide the Regional Administrators with additional flexibility as to how to deploy inspection resources. Even if the N+1 policy is relaxed, the Regional Administrators, in consultation with NRR, will retain the authority to allocate additional resident inspectors to sites if the circumstances warrant that action.

Second, as a result of the impending implementation of the revised reactor oversight process at all facilities, it will soon be necessary for the NRC to define the magnitude of the inspection resources that it should deploy and to determine how those resources should best be allocated among headquarters, the regions, and the sites. As a result, the staff plans to undertake a comprehensive review of the utilization of regional inspection resources in June 2001. Thus, the issue presented to the Commission will be reexamined again in the near term.

Third, I note that there are reasonably significant departures from the N+1 policy at the present time. SALP-based exemptions to the N+1 policy remain in effect at one site, vacancies exist at five other sites where the two-year SALP-based exemptions have expired, and seven vacancies exist where resident inspector positions have not been filled pending reconsideration of the N+1 policy. Moreover, the current practice is to deploy resident inspectors who are assigned to particular sites to perform inspections

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at other sites requiring additional attention. Thus, the N+1 policy, as currently implemented, has not really served in practice to establish a minimum for resident staffing.

Fourth, no radical reallocation of resources will result from the approval of the staff's recommendation. The staff does not plan to reassign any resident inspectors until guidance is developed as a result of the broader staffing study. Thus, the recommendation presented to the Commission affects only those sites where an inspector position becomes vacant over the intervening period until the staffing study is completed.

It might be argued that the Commission should simply retain its current policy until the completion of the staffing study in June 2001. But, as noted above, there are numerous departures from the N+1 policy today and I do not believe that the Commission, by reaffirming the N+1 policy, should create the implication or expectation that staffing should be adjusted to conform to the policy for the interim period until the staffing study is completed. It would be unwise in my view to fill resident inspector vacancies to satisfy an N+1 policy over the study period, unless of course the specific circumstances require additional on-site staffing, because the staffing study might reveal the need for an entirely different allocation of inspection resources.¹ Moreover, I am mindful of the need to provide the Regional Administrators with flexibility as they confront the challenges arising from the implementation of the revised oversight process.

Although I approve the suspension of N+1 resident staffing during the interim period, I take this step with the understanding:

- that the change in policy will not directly result in a diminution in the overall inspection resources or the agency's ability to complete planned inspection program requirements,
- that there will be no reassignment of a resident inspector from an existing assignment unless such action is voluntarily initiated by the resident inspector,

¹ I understand that a resident inspector is assigned to a site with the understanding that the assignment is for a seven-year term. Typically the resident inspectors establish living arrangements in the vicinity of the sites to which they are assigned. Consideration for the resident inspectors would thus urge that a resident inspector not be assigned to a site if there is a real possibility that a reassignment might shortly arise.

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- that the Regional Administrators, in consultation with NRR, will retain the flexibility to adjust the number of resident inspectors assigned to a site upward if the circumstances warrant, and
- that the number of resident inspectors at any given site will not be reduced to less than two individuals.