U.S.NRC

UNITED STATES NUCLEAR REGULATORY COMMISSION

Protecting People and the Environment

Consideration of Assessment Process Changes

May 14, 2009

Workshop Objectives/Goals

- Provide an overview of draft SECY paper addressing construction assessment program options
- Encourage open dialogue on pros/cons of options developed to date
- Solicit input regarding any additional options for consideration
- Discuss next steps

Background

- SECY paper and Commission meeting October 22, 2008
- NEI Memo on December 5, 2008 to Commission Regarding NRC Oversight of Construction Activities
- SRM issued on December 5, 2008
  - Reconsider the assessment process and propose policy options to the Commission
  - Address inclusion of objective elements such as construction program PIs and SDPs analogous to those used in the ROP
- January 29, 2009 Public Meeting to discuss staff's initial efforts to develop assessment program options for Commission consideration
- March 19, 2009 Public Meeting to discuss refined assessment program options

Summary of March 19 Meeting

- Staff Presented concept for an SDP-like process using a risk-informed matrix
- Staff Presented potential concepts for Performance Indicators
  - PIs were divided into Category A, B or C
  - 5 Potential PIs identified as Category A and 8 identified as Category B; possible implementation
- Staff noted that it is feasible to develop a deterministic construction SDP
- Staff noted that it would be much more challenging to develop PIs with appropriate thresholds

Stakeholder Feedback To Staff

- Reservations about risk matrix
- Sought more information regarding x- and y- axis inputs
- Supported deterministic construction evaluation vs. probabilistic risk evalution projected into operations

Staff Deliberations Since March 19

- Carefully considered stakeholder feedback received during 3/19 meeting
- Developed options for inclusion in SECY paper
- Category II meeting on May 7

Options Developed To Date

- **Four options have been developed to date**
  - **Option 1: Using traditional enforcement to analyze CIP findings and construction safety focus issues to analyze the licensee's safety culture**
  - **Option 2: Using traditional enforcement to analyze CIP findings and the dispositioning of safety culture issues in the same manner as these issues are dispositioned the ROP**
  - **Option 3: Using traditional enforcement to disposition issues that have an impact on the regulatory process, are willful, or have actual safety consequences; the development and use of a construction SDP to analyze CIP findings; and the dispositioning of safety culture issues in the same manner as these issues are dispositioned in the ROP**
  - **Option 4: Using traditional enforcement to disposition issues that have an impact on the regulatory process, are willful, or have actual safety consequences; the development and use of a construction SDP to analyze CIP findings and PIs to monitor performance; and the dispositioning of safety culture and traditional enforcement issues in the same manner as these issues are dispositioned in the ROP**

Pros and Cons

Option 1 – TE and CSFI inputs to CRT

- Best suited for prompt NRC response to the rapidly changing nature of a construction environment
- Transparent and predictable process that objectively evaluates licensee performance of construction activities
- Includes the results of safety culture issues in the assessment process
- Most efficient for the staff to implement
- Can be implemented to assess licensee performance after first LWA/COL is issued
- Not as transparent and predictable as the use of an SDP to analyze findings
- Safety culture issues handled inconsistently with the ROP

Pros and Cons

Option 2 – TE input to CRT; SC iaw ROP

- The difference between Option 1 and Option 2 is in the treatment of licensee safety culture issues
- Provides consistency with the ROP in the handling of safety culture issues
- Regulatory response to safety culture issues would not be determined in accordance with the CRT and therefore, NRC actions would be less predictable than those taken using Option 1
- The staff believes that including CSFIs as an input to the CRT is the best way to ensure prompt NRC response to the rapidly changing nature of a construction environment
- Industry through NEI has endorsed this option in 12/5/08 letter to Chairman

Pros and Cons

Option 3 – TE and SDP input to CRT; SC iaw ROP

- The use of an SDP and as the input to the assessment process provides an objective, transparent process to disposition issues
- Stakeholders are familiar with the use of colors to identify the relative significance of findings and the corresponding NRC response
- The use of a construction SDP to evaluate the significance of CIP findings does not add further objectivity to the evaluation process than already exists in the use of the traditional enforcement to disposition construction findings
- Would require approximately 3 FTE of additional staff resources to develop a deterministic construction SDP; impact on industry resources as well
- Not likely that SDP could be developed prior to implementation of the CIP for the first plant that receives a LWA/COL

Pros and Cons

Option 4 – TE, SDP, PIs, input to CRT; SC iaw ROP

- Utilizes the same types of inputs to the construction assessment program as are used for the operating reactor assessment program
- Considerable staff and stakeholder resources would be needed to identify and develop PIs with appropriate thresholds
- Development of ROP PI thresholds was based on years of historical licensee performance data collected by the NRC and industry
- Highly unlikely that a construction SDP and construction PIs could be developed prior to the issuance of the first LWA/COL
- Success of effort to develop PIs is uncertain

Next Steps

- **Consider stakeholder input as SECY paper is finalized; possible additional options**
- **SECY paper to NRO Director for concurrence - 07/31**
- **SECY paper to OEDO for concurrence - 08/14**
- **SECY paper to Commission - 08/28**

U.S.NRC

UNITED STATES NUCLEAR REGULATORY COMMISSION

Protecting People and the Environment

Input/Feedback/Questions