

2012 Construction Reactor Oversight Process (cROP) Survey Input from Southern Company December 2012

Thank you for participating in the survey. Your feedback is important to us and will be used in the cROP self-assessment program to evaluate the effectiveness of the cROP pilot program. There are 14 questions in the survey and places for written comments. We seek constructive feedback to improve the program, and your comments with specific examples are welcomed. If you are filling out a hard copy, please use additional sheets for comments if needed.

Because your comments will not be edited to remove any identifying or contact information, the NRC cautions you against including any information in your submission that you do not want to be publicly disclosed. If you cannot fill/save the pdf file, please fill out the Word version of the survey <http://www.nrc.gov/reactors/new-reactors/oversight/crop/con-pilot.html> or print out a hard copy. The survey ends on December 31, 2012.

Instruction: For each of the statements, please indicate if it's **reasonably** true. If you don't have enough knowledge/experience, please select U/A (unable to answer).

1. Are inspection findings being processed in a timely manner?

Yes No U/A

Can you recommend any improvements? :

- a) *The definition of an Unresolved Item is much broader for the pilot inspection procedure (compare IMC 0613 with 0613P). This has resulted delays in processing of inspection findings in a timely manner.*

- b) *A large number of inspection findings are being identified on the last day of an inspection that had not been previously identified as issues of concern. This leads to additional URIs at the exit.*

- c) *Construction cross-cutting components and aspects are not always being debriefed at NRC exits. (Note that these are also confusingly called construction safety focus components and aspects in NRC guidance (IMC 0613P) and in inspection reports).*

2. Can inspection findings be properly assigned a safety significance rating in accordance with established guidance?

Yes No U/A

Can you recommend any improvements? :

3. Can the assessment process be performed within the scheduled time?

Yes No U/A

Can you recommend any improvements? :

4. Can the construction action matrix be used to take appropriate NRC actions in response to indications of licensee performance?

Yes No U/A

Can you recommend any improvements? :

5. Do the inspection findings provide an adequate indication of licensee performance?

Yes No U/A

Can you recommend any improvements? :

The responsibility of licensee contractors in the design and construction of new plants is different than for operating plants and the NRC may wish to reconsider their current definitions. For example, the design authority for an approved design is considered a licensee contractor by the NRC and thus the licensee is held responsible for design errors by the design authority. In actuality, the design authority is providing the licensee with a pre-approved design and is acting in the role of a vendor and should be held accountable for design errors as a vendor by the NRC. Examples:

- a) NOV 05200025/2012009-01, " Inadequate Design Control of Software Development" was a WEC design control issue.*
- b) NOV 05200025/2012004-01, " Criterion III violation, Stud spacing and conduit spacing" was a WEC design issue.*
- c) NOV 05200025/2012004-02, " Criterion VII violation, source/receipt inspection" was a problem with Shaw Source Inspection.*

These are examples of the process not letting the Finding go to the organization that has the issue.

6. Does the process provide a reasonable assurance that the cornerstone objectives are being met and the plant is being constructed in accordance with its design?

Yes No U/A

Can you recommend any improvements? :

7. Are the mid-cycle and end-of-cycle assessments effective in communicating licensee performance?

Yes No U/A

Can you recommend any improvements? :

8. Does the use of the new assessment program and action matrix result in more consistent and predictable NRC action decisions?

Yes No U/A

Can you recommend any improvements? :

9. Are enforcement actions taken in a manner consistent with the assessment of inspection findings by the risk characterization guidance?

Yes No U/A

Can you recommend any improvements? :

10. Are the assessment data and results readily available to the public?

Yes No U/A

Can you recommend any improvements? :

11. Are there any lessons learned regarding Corrective Action Program implementation and NRC verification?

Yes No U/A

Can you recommend any improvements? :

It is presumed that this question refers to NRC evaluation and acceptance of the CAP.

a) Although criteria have been provided in IMC 2505P as to what constitutes an acceptable CAP, the guidance is lacking in how and when the NRC will make this determination.

- b) *It is unclear as to what level of degradation of CAP (as defined in 2505P) would result in a CAP being disqualified and how the NRC would make this determination.*
- c) *CAP inspections for construction are conducted on a more frequent basis than they are for operating plants. Why is the inspection frequency greater for a construction site than an operating plant where the risk related to CAP inadequacies is potentially greater?*

12. The current timeframe for counting findings and baseline program cross-cutting aspects in the assessment program is 6 months. Is this sufficient time to effectively evaluate licensee performance?

Yes No U/A

Can you recommend any improvements? :

This timeframe is correct for the amount of inspections hours being invested at each site.

13. Has there been sufficient activity during the pilot to end the pilot and fully implement the new construction assessment and enforcement approaches?

Yes No U/A

If yes, can you recommend any improvements to the construction and assessment approaches? If no, how long should the pilot continue and what specifically would be gained by continuing the pilot?

14. Please provide any additional feedback you would like to share regarding the construction reactor oversight process that was not covered in the questions listed above.

Other:

In describing Notices of Noncompliance, vendor inspection reports have been using the term, "if not corrected, may impact the ability of NRC licensees to meet applicable Inspections, Tests, Analyses, and Acceptance Criteria (ITAAC)." Use of this term is unclear—either the ITAAC is impacted or it is not. This needs to be clarified for the industry and public. It is our understanding that if an issue affects an ITAAC, it will be an ITAAC finding and the inspection report will specifically state the ITAAC finding and justification for impact to the acceptance criteria.

The NRC should continue to stress in written communications and meetings that cROP findings are construction findings and that there is no hazard to the health or safety of the public from the findings, regardless of the identified safety significance.

Please email survey to cROPFeedback.Resource@nrc.gov, or mail a hard copy (with docket ID NRC-2011-0270) to:

**Cindy Bladey Chief, Rules, Announcements, and Directives Branch Office of Administration
(Mail Stop: TWB-05-B01M) U.S. Nuclear Regulatory Commission Washington, DC
20555_0001**

If you submit this survey by email, you will receive an acknowledge email. If you do not receive such email in two business days, please contact us at cROPFeedback.Resource@nrc.gov. Please save a copy of the filled survey for your record.

Paperwork Reduction Act This survey contains information collections that are subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.). These information collections were approved by the Office of Management and Budget, approval number 3150-0197, which expires August 31, 2012.

The burden to the public for these voluntary information collections is estimated to be 45 minutes per response. The information gathered will be used in the NRC's self-assessment of the reactor oversight process. Send comments regarding this burden estimate to the Information Services Branch (T-5 F53), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by Internet electronic mail to INFCOLLECTS.RESOURCE@NRC.GOV; and to the Desk Officer, Chad Whiteman, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0197), Office of Management and Budget, Washington, DC 20503.

Public Protection Notification The NRC may not conduct or sponsor, and a person is not required to respond to, a request for information or an information collection requirement unless the requesting document displays a currently valid OMB control number.