

February 15, 2007

MEMORANDUM TO: Luis A. Reyes
Executive Director for Operations

Eliot B. Brenner
Office of Public Affairs

Rebecca L. Schmidt
Office of Congressional Affairs

FROM: Annette L. Vietti-Cook, Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS - COMSECY-06-0068 -
INDEPENDENT ASSESSMENT OF THE IMPLEMENTATION OF
THE REACTOR OVERSIGHT PROCESS BY THE REGIONAL
OFFICES

The Commission has disapproved the proposal to conduct an independent assessment of the implementation of the Reactor Oversight Process (ROP) at the Indian Point facility and other facilities in other Regions. The staff should continue to look for ways to improve the ROP as part of the annual self assessment process.

The staff performed a very thorough and detailed comparison of the inspection elements in the ROP to those areas inspected during the Maine Yankee Independent Safety Assessment (ISA) and concluded that the current inspection procedures, coupled with NRC review standards, provide essentially full coverage of key aspects of the ISA. Thus, the key inspection elements of the ISA are already being performed at each operating nuclear power plant in the country on a routine basis. The Commission acknowledges that the new Component Design Basis Inspection is currently underway at Indian Point Unit 2 and is scheduled to be performed at Unit 3 in the fourth quarter of 2007. This inspection is a comprehensive team inspection to verify that design bases have been correctly implemented for selected risk significant components and that operating procedures and operator actions are consistent with design and licensing bases. This is to ensure that selected components are capable of performing their intended safety functions.

The Commission also notes that the staff currently conducts an annual self-assessment of the ROP. It was also noted that the ROP has recently undergone independent assessments by the NRC Office of the Inspector General (Audit Report OIG-05-A-06, "Audit of NRC's Baseline Inspection Program," dated December 22, 2004) and the United States Government Accountability Office (Report GAO-06-1029, "Nuclear Regulatory Commission: Oversight of Nuclear Power Plant Safety Has Improved, but Refinements Are Needed," dated September 27, 2006). The results of both of these assessments were positive, identifying only minor opportunities for enhancement.

The staff should coordinate with the Office of Public Affairs, the Office of Congressional Affairs, and other involved offices as appropriate, to ensure that this Commission decision, its rationale and basis, and relevant supporting documents, including the staff's comparison table of the ROP with the previous inspection performed at Maine Yankee, are expeditiously made publicly available.

The Office of the Secretary will make the attached changes to the Comparison document provided as enclosure 2 to COMSECY-06-0068, and make publicly available along with this Staff Requirements Memorandum and Commissioner votes.

Attachment: Changes to Enclosure 2 to COMSECY-06-0068

cc: Chairman Klein
Commissioner McGaffigan
Commissioner Merrifield
Commissioner Jaczko
Commissioner Lyons
OGC
CFO
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR

Changes to the Comparison of the Reactor Oversight Process to the
Independent Safety Assessment of the Maine Yankee Atomic Power Company
(Enclosure 2 to COMSECY-06-0068)

1. Page 1, section 2., paragraph 1, revise line 1 to read ' ... 2440 megawatts thermal'
2. Page 2, revise line 4 from the top to read ' ... inspection time annually for a well good'
Revise line 5 to read ' ... today, poorly performing'
3. Page 2, section 3., paragraph 1, revise line 7 to read ' ... producer which limited ~~thus~~
~~limiting~~ resources to'
4. Page 2, section 3., paragraph 2, insert the following at the end of the paragraph: 'The
diverse owners of the plant decided not to make the investments needed to restore the
plant to good performance. The owners of other plants with similar (or, in some cases,
worse) problems but with different ownership structure and different corporate
governance chose to make the investments necessary to restore their plants'
performance.'
5. Page 4, line 2 from the top, insert the following at the end of the paragraph: 'The
approximate numbers of inspection hours for these efforts are, in increasing order: 24,
240, and 2400.'
6. Page 4, 1st full paragraph, insert the following at the end of the paragraph: 'Approximate
numbers of inspection hours for these efforts are similar to, in increasing order, the
supplemental inspections in the preceding paragraph.'
7. Page 4, 2nd full paragraph, revise line 4 to read ' ... those facilities at least a one ~~a~~ 4 year
period,'
8. Page 4, 3rd full paragraph, revise line 3 to read ' ... seven years unless specifically
approved by the EDO. The ROP'
9. Page 4, 4th full paragraph, delete the last sentence (Prior to the ... the past.)
10. Page 7, revise line 3 from the top to read ' ... reviewed and current ~~the~~ procedures
typically require ~~direct~~ inspection of'
11. Page 7, section 7., paragraph 5, revise the last line to read ' ... per year per site.¹⁸'
12. Page 9, 2nd full paragraph, revise line 2 to read ' ... by the Maine Yankee ISA'
13. Page 11, section 11., paragraph 1, revise line 3 to read ' ... the areas of the design basis
and problem identification and resolution. Similar'
14. Page 12, last paragraph, revise line 2 to read ' ... MY ISA with greater attention to safety
culture and better focus on potentially risk-significant problems. This' Revise line 5
to read ' ... under the ROP each year. The ROP'