

Regulatory Impact Summary

Scope and Objectives On December 20, 1991, the Commission issued a staff requirements memorandum directing the staff to develop a process for obtaining continual feedback from licensees and to report the feedback on the process to the Commission each year. The staff described the continual feedback process in SECY-92-286, "Staff's Progress on Implementing Activities Described in SECY-91-172, Regulatory Impact Survey Report—Final," issued August 18, 1992.

The feedback process requires regional management to solicit informal feedback from their licensees during routine visits to reactor sites. The managers record this feedback and forward the feedback forms to the Office of Nuclear Reactor Regulation (NRR). The regions and NRR then evaluate the concerns identified and take any necessary corrective actions. This process, which was implemented in October 1992, has given licensees frequent opportunities to comment on regulatory impact.

This enclosure reports on feedback received from licensees during the previous fiscal year. During this period, the staff received feedback from 68 reactor licensees regarding 191 issues. The comments fell into three main categories—formal communication with licensees, inspector performance, and security and safeguards activities. Of the comments received, 84 percent were favorable and 16 percent were unfavorable.

The following sections summarize the feedback received, the staff's evaluation, and the proposed improvement actions.

(1) Formal Communication with Licensees

Feedback

About 40 percent of the licensees' comments (78/191) concerned the effectiveness of communication between the NRC staff and licensees, and about 95 percent of these comments were favorable. Almost all comments were favorable with regard to communications with inspectors and regional management.

Many licensees said that communication was good or excellent, and others noted that the staff's communication skills have improved. Half of the unfavorable comments (2/4) related to communication in the security area.

Evaluation and Action

The staff concludes that the communication between the NRC and its licensees is effective and that the reported communication problems were isolated instances. The staff based this conclusion on the large number of routine interactions between the NRC and its licensees, combined with the large number of favorable comments and the relatively small number of unfavorable comments received during the past year.

The staff is aware of the importance of prompt and accurate communication and emphasizes this goal in the policy, guidance, and training for the inspection program. Effective communications will remain a challenge and will receive continuing attention from regional and headquarters management.

(2) Inspector Performance

Feedback

Over one-third of the licensees' comments (66/191) concerned inspector performance. This category covers a wide range of inspector practices but excludes issues involving communication with licensees discussed in the previous section. About 90 percent of the comments praised the NRC's inspection staff, noting the high quality of inspections, the technical competence, and the effective working relationship between the NRC and its licensees.

Licensees viewed inspections performed by resident and region-based inspectors (including team inspections) as professional and of high quality. Almost half of the unfavorable comments (3/7) related to instances where the licensee disagreed with the inspector's characterization of an inspection issue.

Evaluation and Action

The staff concludes that inspectors, with the exception of isolated incidents, were professional and maintained effective working relationships. About 90 percent of the comments received this year were favorable. The negative feedback was reviewed for trends and found to be isolated; therefore, no actions are needed at this time.

NRC management continues to emphasize to the staff the importance of professional conduct. Senior NRC managers reinforce these expectations in inspector counterpart meetings, workshops, and training courses and during site visits conducted in accordance with Inspection Manual Chapter 0102, "Oversight and Objectivity of Inspectors and Examiners at Reactor Facilities." The staff will continue to closely monitor inspector performance.

(3) Security and Safeguards Activities

Feedback

About 10 percent of the comments received (21/191) related to the NRC's security and safeguards activities and over half of those comments (12/21) were unfavorable. Although some licensees complimented safeguards inspectors for their professionalism and the effectiveness of the force-on-force exercises, the majority of licensees desired more stability and clearer expectations regarding safeguards activities.

Evaluation and Action

The NRC has placed a high priority on communicating with licensees and other Federal agencies, including the Department of Homeland Security, the Homeland Security Council, the Federal Bureau of Investigation, and the intelligence community. This includes, in part,

assessment of and response to the changing elevated threat environment, review and inspection of revised security plans for all 104 nuclear power reactors, and clarification of requirements for orders issued since September 11, 2001. This coordinated effort, lessons learned from program implementation, and ongoing rulemaking activities should help improve consistency and provide for a more stable regulatory environment. The staff is continuing outreach efforts with various stakeholders to help assure timely communication and involvement in regulatory activities.