

Stakeholder Survey Results

Consistent with the guidelines prescribed by Inspection Manual Chapter (IMC) 0307, "Reactor Oversight Process Self-Assessment Program," the staff conducted both an external and an internal survey during this self-assessment cycle to solicit and analyze stakeholder feedback regarding the effectiveness of the Reactor Oversight Process (ROP). All of the external survey questions and resultant responses, and several of the internal survey questions and responses, contributed directly to the annual ROP performance metrics. A general analysis of the stakeholder responses is summarized below, while a more detailed analysis is available in the annual ROP performance metric report (reference ADAMS accession number ML050670162) and the applicable performance area discussions in Attachments 1 through 4 to this paper.

External Survey

The staff published a survey in a *Federal Register* notice on October 25, 2004, to obtain external stakeholder input regarding the effectiveness of the Reactor Oversight Process (ROP). The survey requested responses to 19 specific questions corresponding to specific ROP performance metrics as defined in IMC 0307. This solicitation of public comments has been issued each year since ROP implementation in 2000.

In previous years, survey respondents often gave feedback that was unrelated to areas that the NRC solicited information about; hence, the staff has been unable to trend and sometimes even assess the cumulative results. As a result, the survey was modified this year to allow for "multiple choice" answers so that the respondents' comments more directly related to the questions asked. In addition, each of the first 19 questions requested that respondents gauge their experiences and opinions using the ROP during both initial and current implementation. Following each of the specific questions, survey participants were further requested to elaborate on their multiple choice ratings with specific thoughts or concerns and to offer their opinion for possible improvements. Additional information and comments related to the ROP that were not directly captured by the specific questions were expounded on in question 20.

The external survey is more subjective than the internal survey, and therefore does not lend itself to the more detailed statistical analysis that was performed on the internal survey. As noted above, the staff made some modifications to the external survey this year to enable a more objective comparison of current stakeholder satisfaction on specific issues as compared to satisfaction after initial implementation, and thus a more objective look at trends in perception to support the metric analyses. The results of the external survey and the staff's plans to address the insights gained are discussed below.

In an effort to solicit feedback on the implementation of the ROP, the staff (1) mailed approximately 700 surveys directly to stakeholders, (2) placed a direct link to the survey information on both the ROP Web page and the "Documents for Comment" page of the NRC's external Web site, and (3) issued a press release and posted it on the NRC's external Web site.

The external surveys were sent out a month earlier than last year to ensure that stakeholders had ample time to participate. Unfortunately, the Agencywide Documents Access and Management System (ADAMS) Publicly Available Records System (PARS) was unavailable to

the public due to a security review of documents that could potentially contain sensitive information. For approximately 6 weeks of the comment period, external stakeholders were unable to access PARS. On December 7, 2004, PARS was partially restored and available for public viewing; thus, the NRC granted an additional 30 days for those stakeholders that needed additional time to secure public documents for the purpose of participating in the survey.

Survey Response - The NRC received 21 responses to the FRN issued in October 2004 from individuals and/or organizations listed chronologically in the order received below. The ADAMS accession number is given in parenthesis after the respondent's name.

- < Union of Concerned Scientists (ML043150198)
- < T. Gurdziel, Private Citizen (ML043210419)
- < Region 5/6 Emergency Management, NE (ML043230584)
- < Alabama Emergency Management Agency (ML043230586)
- < First Selectman Connecticut, Town of Waterford (ML043230590)
- < M. Mulligan, Private Citizen (ML043350273)
- < Minnesota, Department of Public Safety (ML043350267)
- < Union of Concerned Scientists (2nd submittal) (ML043480285)
- < Prairie Island Nuclear Generating Plant (ML043550216)
- < State of New Jersey, Department of Environmental Protection (ML043620075)
- < Pennsylvania Department of Environmental Protection (ML043620080)
- < Nuclear Management Company (ML043620068)
- < Blue Ridge Environmental Defense League (ML043620071)
- < Entergy Operations (ML043620073)
- < Region IV Utility Group (ML043650145)
- < Duke Energy (ML043650168)
- < Southern California Edison (ML043650149)
- < Tennessee Valley Authority (ML043650450)
- < Nebraska Public Power District (ML043650153)
- < Exelon Generation Company and AmerGen Energy Company (ML043650154)
- < Nuclear Energy Institute (ML050050419)
- < Strategic Teaming and Resource Sharing (ML050120343)

The Union of the Concerned Scientists (UCS) commented twice, hence one response was not counted. UCS's first response acknowledged the group's inability to do a meaningful review due to the unavailability of ADAMS, but ADAMS was restored soon thereafter and UCS resubmitted a second comprehensive response.

Survey Results - The results are similar when comparing respondent satisfaction from initial to current ROP implementation. There were no dramatic improvements or declines. Approximately two-thirds of the respondents answered the survey questions, while over three-quarters of those that responded provided additional comments. The survey responses were generally in line with responses from previous years, as were the number and distribution of the responses. Based on a review of the responses, there were three distinct categories of external stakeholders. Approximately half of the 21 responses came from NEI or utilities endorsing the NEI response, 6 came from State or local agencies, and 4 came from public interest groups or members of the public. The opinions and experiences of the collective stakeholders vastly differ, but at times run parallel or coincide. Several repetitive areas that the

staff identified as stakeholder concerns were related to the PI program, the SDP, and the assessment program, as further discussed below.

PI Program Results - Although most of those that answered the survey questions believe that PIs promote plant safety, some public citizens groups are losing confidence in the ability of PIs to promote safety. This is attributed to licensee's discovery of "loop holes" in the PI process. A respondent wrote that when a licensee wants to avoid a white, yellow, or red PI, a question can be asked to challenge the basis of the PI, resulting in the specific PI result being undetermined until the issue is resolved. Also, the Alert and Notification System and Unplanned Power Changes PIs were noted as easily manipulated. These same views were shared with at least one State agency. In contrast, the industry primarily believed that the mix of the PI Program in conjunction with the inspection program promotes plant safety. However, the Scrams with Loss of Normal Heat Removal PI is thought to contribute to the program's lack of clarity and definition as evidenced by several frequently asked questions (FAQs) being under review for the past 2 years.

Inspection Program Results - Nearly all respondents agreed that the inspection reports were useful, were clearly written, and provided a better understanding of plant operations. Few of the written comments related to the inspection program.

SDP Results - The significance determination process had an unfavorable response from the majority of those that answered the survey. Many respondents indicated that the SDP did not yield equivalent results for issues of similar significance in all ROP cornerstones. The public citizens groups and State organizations appear to agree that the SDP is more relaxed now than when the ROP was first implemented. The industry overwhelmingly expressed concerns about the timeliness of the SDP. The effort expended was thought to be an over-application of licensee resources for an extended period of time to address potential issues. Further, the amount of risk significance across the seven cornerstones is thought to be disproportionate. Some SDPs, mostly in the emergency preparedness and public radiation safety cornerstones, were thought to be deterministic and not appropriately characterized by risk insights.

Assessment Program Results - In the area of addressing performance issues, the industry and the majority of the State and Local agencies generally agreed that actions taken by the NRC for plants outside of the licensee response column have been appropriate. One State agency was critical of the timeliness and scope of NRC supplemental inspections. One public interest group responded positively, but maintained that improvement was warranted in the agency's followup to deficiencies in the cross-cutting areas. The majority of respondents that answered the survey questions, including the utilities and the majority of the State and local agencies, agree that the information in the assessment reports is relevant, useful, and written in plain English. However, one State regulator was critical of the scope and length of discussions in the assessment letters. Also, a couple of licensees expressed concerns about the basis and closure process for substantive cross-cutting issues identified in these assessment letters. One public interest group stated that the assessment letters contained too much boilerplate information and did not clearly distinguish between the best performing plants and the worst performing plants.

Overall ROP Results - The majority of the respondents agreed that the ROP (1) is predictable and reasonably objective, (2) is risk-informed, (3) is understandable and written in plain English, (4) is effective, efficient, and realistic, (5) ensures openness in the regulatory process,

(6) provides sufficient opportunities for the public to participate in the process, (7) has been implemented as defined, and (8) reduces unnecessary regulatory burden. To a lesser extent, respondents agree that the ROP provides adequate regulatory assurance when combined with other NRC regulatory processes that plants are being operated and maintained safely, while also citing the problems at Davis-Besse and a few other plants as examples of the ROP's failure to detect performance weaknesses in a timely manner.

The two questions that received the most negative comments, and resulted in their respective metrics not being met, were whether the NRC is responsive to public inputs and comments on the ROP (metric O-15) and whether the ROP results in unintended consequences (metric O-18). Although a vast majority of respondents agree that the NRC has been responsive to public inputs, including several State and local agencies and members of the public, those that disagree feel that the NRC's response has been slow or inadequate. Many stakeholders continue to believe that although the ROP minimizes unintended consequences, some aspects of the ROP have the potential to result in unintended consequences, specifically citing the Scrams with Loss of Normal Heat Removal PI and the Safety System Unavailability PIs as examples.

Cross-Reference Between Survey Questions and Performance Metrics - In addition to the general analysis above, staff analysis of the specific responses is included in the applicable portions of the program area evaluations in Attachments 1 through 4 to this paper as well as in the annual ROP performance metrics report (reference ML050670162). The following table provides a convenient cross-reference between the question number on the survey and the ROP performance metric that the question specifically supports. It is also indicated whether the metric criterion was met based on the survey responses and staff's analysis.

Survey Item	Question	Metric	Met?
1	Does the PI program minimize the potential to take actions that adversely impact plant safety?	PI-4	yes
2	Does appropriate overlap exist between the PI program and the inspection program?	PI-6	yes
3	Is the reporting of PI data efficient?	PI-7	yes
4	Does NEI 99-02 provide clear guidance regarding PIs?	PI-8	yes
5	Is the information in inspection reports useful to you?	IP-11	yes
6	Does the SDP yield equivalent results for issues of similar significance in all ROP cornerstones?	SDP-5	no
7	Does the NRC take appropriate actions to address performance issues?	AS-9	yes
8	Is the information contained in assessment reports relevant, useful, and written in plain English?	AS-10	yes

Survey Item	Question	Metric	Met?
9	Are the ROP oversight activities predictable and reasonably objective?	O-1	yes
10	Is the ROP risk-informed, in that the NRC's actions are graduated on the basis of increased significance?	O-3	yes
11	Is the ROP understandable and are the supporting documents clear and written in plain English?	O-5	yes
12	Does the ROP provide adequate regulatory assurance that plants are being operated and maintained safely?	O-7	yes
13	Does the ROP improve the efficiency, effectiveness, and realism of the regulatory process?	O-11	yes
14	Does the ROP ensure openness in the regulatory process?	O-13	yes
15	Has the public been afforded adequate opportunity to participate in the ROP and provide inputs and comments?	O-14	yes
16	Has the NRC been responsive to public inputs and comments on the ROP?	O-15	no
17	Has the NRC implemented the ROP as defined by program documents?	O-16	yes
18	Does the ROP reduce unnecessary regulatory burden on licensees?	O-17	yes
19	Does the ROP minimize unintended consequences?	O-18	no

NRC Response to External Feedback - As noted above, the staff reviewed all of the survey responses and evaluated the stakeholder comments as part of this annual self-assessment. Staff analysis is included in this attachment, in the applicable portions of the program area evaluations in Attachments 1 through 4, and in the annual ROP performance metrics report.

However, a common concern expressed by survey respondents is that the NRC has been unresponsive to external stakeholders that provide comments and feedback to the NRC in response to the annual FRN survey. Many believe that the resulting ROP Commission paper does not directly address the comments or that the NRC response is slow. As a result, the staff plans to consolidate the comments by question and provide a comprehensive response to each question. For example, the staff will consolidate all of the comments for question 1 from the survey regarding whether respondents believe the PI program minimizes the potential to take actions that adversely impact plant safety. An analysis and the staff's response to the specific question will then be provided. This will be repeated for each of the survey questions.

As in previous years, the staff will acknowledge receipt of each FRN response by correspondence indicating that the staff has considered and generally addressed the comments in this paper, as appropriate. This paper, the annual ROP performance metric report, and the consolidated response will be posted to the ROP Web page and sent along with the acknowledgment letters to each survey respondent.

Internal Survey

An internal survey was completed in November 2004 to solicit and analyze stakeholder feedback regarding the effectiveness of the Reactor Oversight Process (ROP). The internal surveys are conducted on a biennial basis, this being the fourth such survey. Previous surveys were conducted in December 2002 (in the third year of ROP implementation), in March 2001 (in the initial year of ROP implementation), and in November 1999 (during the pilot phase).

A total of 209 responses were received from internal Nuclear Regulatory Commission (NRC) stakeholders, including resident and senior resident inspectors, regional-based inspectors and staff, senior reactor analysts, regional and headquarters line management, and headquarters technical and program staff employees.

The respondents selected answers from a computer-based program in ten major topic areas: (1) demographics, (2) overall ROP process, (3) ROP vs. previous process, (4) ROP Web page, (5) assessment process, (6) inspection program, (7) performance indicators, (8) significance determination process, (9) feedback forms, and (10) other issues. The final section of the survey provided space to expound or make additional comments. All respondent replies were anonymous and each question had five possible answers (strongly agree, agree, disagree, strongly disagree, and unable to answer). Respondents selected "unable to answer" if they did not know enough about the topic to make an informed judgment.

The results of the survey sections are provided below. Note that the numbers in parentheses in the summaries below represent the combined percentage of respondents who endorsed the stated view versus the opposing view. Responses of "unable to answer" were not factored into these percentages.

Demographic Summary - Survey respondents made selections for each of four demographic issues: position, work location, grade, and years of service with the NRC. Most of the respondents are inspectors directly implementing the ROP. Almost one half (45 percent) of the respondents are regional-based inspectors or staff, including senior reactor analysts, and nearly one third (29 percent) are resident/senior resident inspectors. The remaining responses (26 percent) are from regional management and headquarters technical or program staff. Region 1 (30 percent) represents close to one-third of the respondents and the rest of the regions were nearly equal: Region II (20 percent), Region III (18 percent), Region IV (21 percent). Headquarters personnel accounts for 11 percent of the respondents.

The majority of respondents are grade 14 or 15 (54 percent) with 41 percent coming from grade 13 or below. Only 5 percent of the respondents are SES or SLS-level civil servants. More than half (57 percent) of those surveyed have more than 10 years of service with the NRC and 14 percent have between 5 to 10 years service, and the remaining respondents represent more than one-fourth (29 percent).

Overall ROP - The majority of respondents indicate that the ROP generally provides appropriate assurance that plants are being operated safely (84 percent), appropriate regulatory attention to licensees with performance problems (81 percent), and a realistic approach to oversight process (75 percent). Respondents further agree that the ROP provides appropriate objectivity to the oversight process (81 percent). Over half (57 percent) of the internal stakeholders agree that the ROP provides appropriate identification of declining safety performance before there is a significant reduction in safety margins.

Respondents believe that the ROP provides an effective risk-informed approach to oversight (74 percent), provides sufficient attention to licensees whose performance is in the licensee response band (i.e., appropriateness of the baseline inspection and performance indicators for these licensees) (81 percent), and provides appropriate communication through the use of plain language in official correspondence (e.g., inspection reports, letters to licensees) (79 percent). Additionally, the stakeholders agree that the ROP provides appropriate inspector and licensee communication (86 percent) and that the ROP is understandable and the procedures and output products are clear and written in plain English (72 percent).

There were 10 questions included in this area of the survey. The percentage of respondents who agreed increased for 8 of the 10 questions and the percentage in agreement decreased for 2 questions when compared to the 2002 survey. The most central value (median) of the distribution of the total percentage for each question is 80 percent. The average (mean) percentage is 77 percent.

ROP vs. Previous Process - Compared to the previous process, the majority of the respondents agree that the current ROP generally increases consistency (84 percent) and is more risk-informed (90 percent). Additionally, they believe that the new ROP increases predictability (75 percent), objectivity (79 percent), and clarity (77 percent). Internal stakeholders also believed that the new ROP increases efficiency (71 percent) and maintains safety (78 percent). To a lesser extent, respondents feel that the current ROP increases timeliness (67 percent) and realism (63 percent). Slightly over half of the respondents agree that the new ROP increases effectiveness (55 percent). Exactly half of the respondents agree that unnecessary administrative burden on the NRC has been reduced with the current ROP (50 percent). Twenty to 25 percent of the respondents were unable to answer these questions because they did not have experience with the previous oversight process.

There were 11 questions included in this area of the survey. The percentage of respondents who agreed increased for 4 of the 11 questions and the percentage in agreement decreased for 7 questions when compared to the 2002 survey. The most central value (median) of the distribution of the total percentage for each question is 75 percent. The average (mean) percentage is 72 percent.

ROP Web Page - With respect to the information on plant performance (e.g., inspection reports, PI data, Plant Issues Matrix (PIM) data, etc.) provided on the ROP Web site, the vast majority of the respondents agree that the information is accurate (92 percent), timely (90 percent), and understandable (written in plain English) (89 percent). Additionally, the respondents believe that the information is adequate to keep NRC internal stakeholders informed (87 percent) and is organized for easy retrievability (84 percent).

There were 5 questions included in this area of the survey. The percentage of respondents who agreed increased for 4 of the 5 questions and the percentage in agreement decreased for one question when compared to the 2002 survey. The most central value (median) of the distribution of the total percentage for each question is 89 percent. The average (mean) percentage is 88 percent.

Assessment Process - Respondents agree that the assessment process provides an appropriate range of actions for safety issues (80 percent). Almost two-thirds (66 percent) of the respondents agree that the assessment process provides for timely resolution of issues commensurate with safety significance. Slightly more than seventy percent (71 percent) of the respondents felt that the assessment process applies appropriate enforcement actions.

Over three-quarters (81 percent) of respondents agree that the assessment process focuses resources on areas of greatest safety significance. Approximately three-quarters of the respondents (73 percent) agree that the assessment process minimizes duplication/rework in preparation for assessment meetings (i.e., mid-cycle, end-of-cycle, agency action review, public meetings).

The majority of the respondents agree that the assessment process provides objective levels of assessment (84 percent) and the agency takes appropriate actions to address performance issues for those licensees outside of the licensee response column of the Action Matrix (85 percent). Slightly more than three-quarters of the respondents (77 percent) believe that the assessment process provides understandable thresholds.

There were 8 questions included in this area of the survey. The percentage of respondents who agreed increased for 7 of the 8 questions and the percentage in agreement decreased for one question when compared to the 2002 survey. The most central value (median) of the distribution of the total percentage for each question is 79 percent. The average (mean) percentage is 77 percent.

Inspection Program - The vast majority of the respondents agree that the baseline inspection program inspection reports are communicated in a timely fashion (93 percent). A high percentage of the respondents believe that reports were communicated accurately (87 percent). More than three-quarters of the internal stakeholders believe that the baseline inspection program appropriately inspects for and identifies risk-significant issues (79 percent), and provides appropriate coverage of plant activities and operations important to safety (77 percent). But only one-half of the respondents perceive the level of effort for conducting each inspection to be consistent with that estimated in the inspection procedure (51 percent). Nearly three-quarters of the respondents believe that the baseline inspection program leads to objective findings whose significance can be clearly documented (73 percent).

There were 6 questions included in this area of the survey. The percentage of respondents who agreed increased for 3 of the 6 questions, the percentage in agreement decreased for 2 questions, and remained the same for one question when compared to the 2002 survey. The most central value (median) of the distribution of the total percentage for each question is 78 percent. The average (mean) percentage is 77 percent.

Inspection Procedures - A high percentage of the respondents believe that the baseline inspection program procedures are adequate to address intended cornerstone attributes

(86 percent), are conducted at an appropriate frequency (85 percent), and adequately sample risk important aspects of each inspectable area (80 percent). Many of the respondents felt that inspection procedures are clearly written (73 percent). Over three-fourths of those surveyed believed that the inspection procedures place sufficient emphasis on planning (78 percent).

There were 5 questions included in this area of the survey. The percentage of respondents who agreed increased for 4 of the 5 questions and the percentage in agreement decreased for one question when compared to the 2002 survey. The most central value (median) of the distribution of the total percentage for each question is 80 percent. The average (mean) percentage is 80 percent.

Performance Indicators - The majority of the respondents believe that the performance indicators were understandable (87 percent). Additionally, many believe that they were clearly defined (79 percent) and provide an appropriate level of overlap with the inspection program (78 percent). Two-thirds of the respondents believe that the performance indicators provide useful information on risk-significant areas (67 percent) and help to maintain safety (68 percent).

Slightly over half of the respondents agree that the performance indicators increase public confidence (57 percent). Only 45 percent of the respondents believe that the performance indicators provide an adequate indication of declining safety performance.

There were 7 questions included in this area of the survey. The percentage of respondents who agreed increased for 6 of the 7 questions and the percentage in agreement decreased for one question when compared to the 2002 survey. The most central value (median) of the distribution of the total percentage for each question is 68 percent. The average (mean) percentage is 69 percent.

Significance Determination Process (SDP) - Many of the respondents agree that the SDPs provide basis for effective communication of inspection findings to the licensee (78 percent) and focuses NRC attention on safety-significant issues (75 percent). More than half of the respondents agree that the SDP provide consistent results (63 percent) and basis for effective communication of inspection findings to the public (60 percent).

Less than one-half (only 41 percent) of the respondents agree that program guidance documents are clear, resource expenditures are appropriate, and non-reactor safety SDPs are easy to use. To a lesser extent, approximately one-third of the respondents believe that the reactor safety SDPs are easy to use (36 percent) and SDP training is effective (38 percent).

There were 9 questions included in this area of the survey. The percentage of respondents who agreed increased for 8 of the 9 questions and the percentage in agreement remained the same for one question when compared to the 2002 survey. The most central value (median) of the distribution of the total percentage for each question is 41 percent. The average (mean) percentage is 53 percent.

SDP Results - Over three-fourths of the respondents believe that the SDP results were verifiable (76 percent). Approximately two-thirds of the respondents believe that the SDP results correctly characterize the risk-significance of inspection findings (66 percent), are accurate (66 percent), and are realistic (69 percent).

Fewer respondents agree that SDP results are timely (49 percent). Only slightly more than half of the respondents believe that these results are based upon clear standards (56 percent).

There were 6 questions included in this area of the survey. The percentage of respondents who agreed increased for 5 of the 6 questions and the percentage in agreement remained the same for one question when compared to the 2002 survey. The most central value (median) of the distribution of the total percentage for each question is 66 percent. The average (mean) percentage is 64 percent.

Feedback Forms - Many respondents believe that the feedback forms were understandable and written in plain English (77 percent) and were accurate (76 percent). Many fewer of the respondents agree that the responses to feedback forms sent to headquarters are timely (47 percent). Nearly two-thirds of the respondents believe that the feedback forms are responsive and address the issues raised (60 percent). Approximately one-half of the respondents were unable to answer these questions because they did not have experience using the feedback process.

There were 4 questions included in this area of the survey. The percentage of respondents who agreed increased for all 4 of the 10 questions when compared to the 2002 survey. The most central value (median) of the distribution of the total percentage for each question is 68 percent. The average (mean) percentage is 65 percent.

Impact of Policy Change from N+1 to N - Two-thirds of the respondents believe that since the policy change from N+1 to N, non-IMC 1245 training provided to effectively implement the ROP is adequate (67 percent) and rotational opportunities are available to assist in professional development (66 percent). To a lesser extent, the respondents agree that training provided to effectively implement the ROP is adequate (64 percent).

There were 3 questions included in this area of the survey. This is a new area added to the 2004 survey. The most central value (median) of the distribution of the total percentage for each question is 66 percent. The average (mean) percentage is 66 percent.

Other Issues - A high percentage of the respondents believe that the timeliness goals specified in IMC 0305 for documentation and data collection can reasonably be met (83 percent) and the supplemental inspection procedures provide sufficient information to confirm the adequacy of a licensee's root cause and corrective action effort (82 percent).

Many survey respondents also agree that the information provided by the NRC appropriately keeps the public informed of the agency oversight activities related to the plants (77 percent) and that issuing NCVs and relying on licensee's corrective action program provides an adequate approach to resolve issues of very low safety significance (i.e., green findings) (74 percent). Respondents further agree that resources needed to oversee licensees using the ROP are appropriate and that the ROP has resulted in a reduction of unnecessary regulatory burden on external stakeholders, but to a lesser extent (60 percent).

Less than one-half of the respondents agree that the ROP fosters long-term self-improvement by licensees (48 percent) and the ROP appropriately integrates and provides insights into cross-cutting areas (46 percent).

There were 8 questions included in this area of the survey. This area represented various aspects of the ROP (i.e., resources, oversight, SDP, NCVs, etc.). The percentage of respondents who agreed increased for 4 of the 8 questions and the percentage in agreement decreased for 4 questions when compared to the 2002 survey. The most central value (median) of the distribution of the total percentage for each question is 67 percent. The average (mean) percentage is 66 percent.

Common Themes from Specific Internal Comments - In the free-form comments section of the survey, the respondents acknowledge that the ROP is not a perfect process and has shortcomings, but note that it is a vast improvement to the previous assessments conducted under the subjective Systematic Assessment of Licensee Performance (SALP). Several concerns stem from the reactor vessel head degradation at Davis-Besse. Although that event happened in early 2002, several comments focused on the ability of the ROP to detect the next Davis-Besse, thus questioning adequate oversight. In parallel, only 57 percent of the respondents agree that the ROP provides appropriate identification of declining safety performance before there is a significant reduction in safety margins.

Two other areas that received considerable criticism in the comments were the SDP and the inspection program. Additionally, the PI program received a moderate amount of criticism.

The SDP was thought to be too complex and time consuming and did not provide timely results. Specifically, several respondents believed that too much time and effort was spent obtaining and analyzing data to determine the color of a finding. The use of risk to guide the disposition of an event was believed to be inherently limiting. There was also a great deal of criticism of the timeliness of the fire protection SDP findings. The need for SDP training was also a recurring concern.

The inspection program comments were broad and far reaching across the baseline inspection program. Many respondents expressed dissatisfaction with the sampling required in inspection procedures. There were too many minimum samples and not enough time to “get out” in the plant to gain a thorough understanding of what is going on in the plant. On the other hand, some felt that sampling of routine activities yields little to no useful information about licensee performance. Since there is such a broad sampling range and depth of inspection, some felt there is little consistency in implementing the procedures.

Another area of the inspection program that received numerous comments was inspecting maintenance activities. Respondents believed that additional focus in baseline inspections should be dedicated to maintenance activities and compliance with the maintenance rule. A procedure to focus inspections on observing emergent repairs to systems important to safety would be invaluable and could even prevent maintenance errors. Inspection of ongoing maintenance activities in the field to verify and validate maintenance performed in accordance with procedures and technical manual guidance is not within the scope of the procedure.

Performance indicator comments, while not overwhelmingly critical, were consistent. Some respondents believed that the credibility of the thresholds was compromised because the thresholds were set too high and failed to provide viable plant performance information. For example, less than one percent of the plants cross the greater than green threshold, although it was anticipated at the start of the ROP that approximately five percent of the plants would cross the greater than green threshold for each PI. This situation has affected respondents’

confidence in the effectiveness of the PI program. Additionally, some respondents believe that the PIs are easily manipulated since they are not clearly defined, resulting in interpretations by the licensee that potentially mask actual performance.

Two other themes from the comments were that the handling of cross-cutting issues is unclear and inadequate and that inspector feedback is not adequately addressed and resolved.

Comparison of December 2002 and November 2004 Surveys - The staff last conducted an internal survey in December 2002. Responses to the December 2002 survey were generally favorable. The majority of respondents indicated that the ROP provided appropriate assurance that plants were operated safely and that appropriate regulatory attention was provided to licensees with performance problems, resulting in a realistic approach to oversight. However, some stakeholders believed that the ROP was inadequate because it did not identify the vessel head degradation at Davis-Besse and that the SDP had not been effective.

The December 2002 survey received participation from 236 respondents representing headquarters and the regional offices. The November 2004 survey results experienced a 12 percent participation decline to 209 respondents; nevertheless the results represent a good cross-section of ROP users. The data from the two surveys was compared. The questions asked in the surveys were not completely identical although the surveys were similar enough to permit a comparison. For instance, the recent November 2004 survey made minor changes to the wording of some of the questions, added a new section on the impact of the policy change from N+1 to N, and deleted a few questions from some sections. The survey data presented below provides the combined agree/disagree response for those questions from both surveys. The "unable to answer" responses are not included in the percentage calculations of agreement and disagreement when comparing between the two surveys.

Overall, there were marginal improvements and declines in level of agreement (on average 5 percent to 6 percent) across all areas of the ROP as compared to the 2002 survey results. The vast majority of the questions showed an increase in stakeholder satisfaction when compared to previous results. Several areas of the ROP experienced a significant increase in the double-digit range from 10 percent to 18 percent. Specifically, the respondents further agree that the inspection program provides appropriate coverage of plant activities and operations important to safety (up 10 percent), the assessment process provides for timely resolution of issues commensurate with safety significance (up 10 percent), the performance indicators are understandable (up 11 percent) and enhance public confidence (up 10 percent), the reactor safety SDPs are easy to use (up 16 percent), the non-reactor safety SDPs are easy to use (up 15 percent), responses to feedback forms are timely (up 17 percent) and accurate (up 12 percent), and the ROP Web page is adequate to keep NRC internal stakeholders informed (up 13 percent). The only question that resulted in a decrease of greater than 10 percent in stakeholder agreement is that the ROP reduces unnecessary administrative burden on the NRC (11 percent).

Each of the nine major topic areas demonstrated overall improvement and an increase in stakeholder satisfaction when compared to the previous survey. The topic area that showed the greatest improvement was feedback forms. Every question regarding the feedback forms showed an improvement over the previous survey (4 out of 4), with an average increase of over 10 percent. Two other sections that significantly improved were the SDP and performance indicators. The SDP sections showed improvement in 12 out of 15 questions with an average

increase of nearly 7 percent. Performance indicators had an improvement in 6 out of 7 questions with an average increase of over 6 percent. Two other sections that also demonstrated improved performance were the assessment process and the overall ROP. The assessment process had an improvement in 7 out of 8 questions with an average increase of about 3 percent, while the overall ROP had an improvement in 8 out of 10 questions with an average increase of about 3 percent. The four remaining topic areas (the ROP vs previous process, the ROP web page, the inspection program, and other issues) had the majority of the questions improving with average increases less than 3 percent.

Internal Survey Summary - Of the ten topic areas of the 2004 survey, the average percentage of agreement in five of those areas is over 70 percent (four are over 75 percent). The median is either 80 percent or very close to that percentage. For the other five topic areas, average percentages of agreement range from 69 percent to 53 percent. The predominant median is 68 percent. Four of the median percentages are in the 60's (i.e., 66 percent, 67 percent, 68 percent, 68 percent) and one is 41 percent.

This agreement suggests that most of the respondents believe that plants are being operated safely, that appropriate regulatory attention is provided to licensees with performance problems, that the oversight process is objective, that the current ROP is more risk-informed, increases consistency, and has an appropriate range of actions for safety issues, and that the inspection program inspects for and identifies risk-significant issues. Some insights to the minority opinion (25 percent) or unfavorable percentage came from the 71 respondents that provided comments.

Stakeholder Survey Conclusions

The responses from the surveys of both internal and external stakeholders were generally in line with responses from previous years, as were the number and distribution of the responses. The responses were generally positive, with concerns being raised primarily in the following areas:

- The effectiveness of the PI program in identifying performance outliers.
- The timeliness and complexity of the SDP.
- The proper scope and focus of the baseline inspection procedures.
- The handling of cross-cutting issues.

Accordingly, these items correspond to our future focus for program improvements as outlined in the SECY paper conclusion.

The feedback from these surveys has been or will be considered in modifying the appropriate areas of the ROP. Further discussion and analysis of the survey results are included in the applicable portions of the program evaluations in Attachments 1 through 4 to this paper as well as in the ROP performance metric report (reference ML050670162).