



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20558

June 21, 1979

Reading
See 18-22
Release

MEMORANDUM FOR: Chairman Hendrie
Commissioner Gilinsky
Commissioner Kennedy
Commissioner Bradford
Commissioner Ahearne

FROM: Al *AK* Kohnke, Acting Director, OPE

SUBJECT: SECY-79-371 -- RECOMMENDATIONS ON OPERATIONAL DATA ANALYSIS
AND EVALUATION FOR NUCLEAR POWER PLANTS (COMMISSIONER
ACTION)

#14

The objective is to establish an organization having both the technical capability and independence to assure that major accidents will be avoided through early warning -- based on systematic analysis and evaluation of reactor safety and operating experience -- and timely implementation of corrective actions. The staff recommends (Option #3 of SECY-79-371):

- dedicate individual groups within each program office
- augment these groups as necessary to do the job
- set up a full-time agency-wide group to coordinate data analysis and evaluation with the office groups
- have the agency-wide group report to Director, NRR.

There appear to be no differences of opinion with respect to the first three aspects of the staff's recommendation. With respect to the fourth aspect of the staff recommendation, however, there are outstanding differences. RES and IE do not concur in this part of the EDO recommendation because of their concern that placing the agency-wide group under NRR will not provide a sufficient degree of independence. The recommendation to place the agency-wide group under NRR may have been intended to ensure its output would have NRR's close attention. However, in an office so large, precursors could go unrecognized or not receive prompt attention.

IE suggests that placing the group under SD or RES would be better than under NRR. RES recommends that the group must have "the proper independence of views, skepticism, and appropriate visibility," which could not be achieved if the group was under NRR. Informal contacts with the ACRS staff indicate similar concerns about independence. Although the ACRS preliminary report

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is not due until September, we understand the LER Subcommittee is leaning towards endorsing formation of an NRC LER review group. Furthermore, given such a group, the Subcommittee appears to favor that it:

- not be tied to any existing organizational unit;
- be staffed substantially on a rotational basis, drawing personnel from both headquarters and regional offices.

It seems to us, however, that one or more of the attributes sought by the staff and ACRS might be missing if the group were assigned to any existing office or, for that matter, to a new EDO or Commission-level office. An alternative which was not considered by the staff would be -- as I suggested in my memorandum of May 18 to you in discussing how best to integrate related functions of the program offices -- to make the agency-wide group a standing committee of senior technical people selected not only on the basis of professional competence and experience related to the standing committee's purview, but on the basis of ability to contribute to an integrated approach.

By selecting individuals not in the management chain and by not putting such a standing oversight group under any organizational unit would give it prominent special stature and freedom from organizational constraints, so as to:

- vigorously probe and criticize existing systems
- unhesitatingly recommend corrective actions.

Such a group might also provide independent examination of dissenting staff opinions concerning reactor safety.

In summary, we believe that in all but one respect the staff recommendation can and should be adopted. With respect to the structure of the new coordinating group and its linkage to the existing organization, you have a choice between the kind of proposal the staff recommends, i.e. assign it to an office such as NRR, and the kind of proposal we described above, i.e. an independent standing committee with rotating membership of qualified, non-management personnel.

cc: Leonard Bickwit
Sam Chilk
Lee V. Gossick
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