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Honorable Nunzio J. Palladino
Chairman
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dear Dr. Palladino:

SUBJECT: ACRS COMMENTS ON THE NRC INCIDENT INVESTIGATION PROGRAM

During its 307th meeting, November 7-9, 1985, the Advisory Committee on Reactor Safeguards discussed the NRC Staff proposal for investigating significant incidents at operating nuclear power plants. The primary document reviewed was SECY-85-208, "Incident Investigation Program," dated June 10, 1985. This matter was also discussed during a meeting of the ACRS Subcommittee on Regulatory Policies and Practices on November 1, 1985. We also note that SECY-85-208 was approved by the Commission as stated in a memorandum from S. J. Chilk, Secretary, to W. J. Dircks, EDO, dated October 16, 1985.

Related to the above, we note that the June 9, 1985 total loss of feed-water event at the Davis-Besse Nuclear Plant was investigated using the process described in SECY-85-208. During our review, we discussed this process, including the report of the Incident Investigation Team (IIT) (NUREG-1154, "Loss of Main and Auxiliary Feedwater Event at the Davis-Besse Plant on June 9, 1985," dated July 1985). We also had the benefit of reviewing the August 5, 1985 EDO letter which approves NUREG-1154 and outlines forty-one corrective actions related to the Davis-Besse event which were tasked to various NRC offices.

The Committee, in its July 17, 1985 letter to you, stated that it awaited with interest the result of the experimental approach being tried in the investigation of the June 9, 1985 Davis-Besse event, pending a decision on the recommendations in the Brookhaven Report (NUREG/CR-4152), recommendations the Committee endorsed in its letter of March 13, 1985. In the interim the Commission approved SECY-85-208, thereby rejecting the Brookhaven recommendation for the formation of an independent office. The questions have now turned to the means of implementing on a more permanent basis the procedures which were ad hoc in the case of Davis-Besse. The Office for Analysis and Evaluation of Operational Data has been tasked with drafting such a set of procedures, and their present status was discussed in our Subcommittee meeting on November 1, 1985. We transmit herewith some comments, though there may be others as the work progresses.

Our principal concern is that the degree of coherence that was achieved through the establishment of the Davis-Besse IIT (which the ACRS commended in its letter of July 17, 1985) seems to have been dissipated in

the follow-up actions. Forty-one action items have been identified in the August 5, 1985 letter from the EDO to the Office Directors and the Region III Administrator, and assigned to the various offices, with no evidence of an intent to do anything later on an integrated basis. We believe that, as a minimum, there ought to be a later statement by the EDO or the Commission, after the additional information collection set into motion by the investigation has borne fruit. This statement should officially validate or revise the necessarily preliminary assessment of "root cause" provided by the IIT. It could be in the form of a supplementary report or whatever -- the form is not the issue. The issue is whether the NRC reverts to its balkanized format the moment the IIT is disbanded. We believe that coherence should persist somewhat longer.

On November 1, 1985, you approved an additional review of the Davis-Besse evaluations and actions. It is not clear to us whether this additional review is meant to be a permanent feature of such investigations, or is limited to the Davis-Besse case. We therefore defer comment.

As a separate item, we take exception to the statement in SECY-85-208 that the procedures thereby adopted "incorporate the intent of the comments and recommendations made by . . . ACRS" This statement is incorrect; we recommended a different course, which you rejected when you approved SECY-85-208.

There is one important point we wish to highlight here. While the inevitable conflict between the requirements of independence and expertise for members of an IIT has been recognized in SECY-85-208, we feel that the guidance therein is incomplete. As procedures are developed by the NRC Staff, the Commission should provide more specific guidance as to the relative weights to be assigned these two admitted but competing virtues. This is, in a sense, the central problem the Commission must now face, having opted for incident investigation by its own Staff. This is the right time to face it.

Since we hope to be kept informed, we will defer less pressing comments to a later time.

Sincerely,

David A. Ward
Chairman

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