

**NRC'S POLICY OF COOPERATION WITH STATES AT COMMERCIAL NUCLEAR POWER  
PLANTS AND OTHER NUCLEAR PRODUCTION AND UTILIZATION FACILITIES  
(3150-0163)**

Consultations

**Illinois.** Illinois is the one State that participates in inspections of commercial nuclear power plants and has previously conducted reimbursable inspections against NRC security orders.

Alwyn C. "Cecil" Settles, Section Head  
Nuclear Facility Inspection  
Bureau of Nuclear Facility Safety  
Illinois Emergency Management Agency  
Phone: (815) 448-5898

Questions asked:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?

Yes, for Illinois and the Illinois Resident Engineers. Illinois considers the burden to be very light.

2. Is the burden estimate accurate?

The burden estimate is pretty high, because it includes office space and incidentals and fees that are covered by the utility (i.e., Excelon). There is no estimate on the effort put towards the quarterly reports. The quarterly reports are part of an ongoing process that would still happen without the cooperative agreement. The report describes the activities performed and is a mechanism that is used by the State; it is incidental and out of convenience that the timing is made to coincide with that used by the NRC inspector.

3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?

It would be hard to improve, because most of it occurs face-to-face on a daily basis.

4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

He would be hard-pressed to see how it could be improved upon. They do transmit some information to the NRC electronically, but will hand-deliver information that is then discussed face-to-face with the NRC inspectors.

5. Section 13 of the draft supporting statement estimates additional costs associated with the State providing the information to the NRC and includes: 1) the State Resident Engineer attending training, 2) reimbursement to the NRC for special training offered by the NRC, 3) fitness-for-duty costs; 4) site access costs; 5) onsite space and support costs; and 6) costs for obtaining a security clearance. How much are the additional costs per year that the State experiences? Are there any other costs that have not been identified?

The cost of the training varies and depends upon its availability and is commonly conducted in the NRC Region III offices (Lisle, IL); The NRC Technical Training Center (Chattanooga, TN), or the NRC headquarters (Rockville, MD). Two years ago they brought in NRC instructors from the Technical Training Center to Springfield, IL to provide BWR and PWR introductory courses for 40 people; he did not have an estimate for how much this cost the State. The site access costs; fitness-for-duty costs; onsite space and support costs; and other incidental costs are paid by Excelon and the Illinois Resident Engineers are treated as contractors.

6. Section 12 of the draft supporting statement provides an estimate for the burden for participating in NRC inspections and section 15 lists areas where there is a burden associated with the information collection. This burden includes the effort to establish the program and the routine burden associated with the activities of the State Resident Engineer. Are there information collections associated with the State Resident Engineer participating in NRC inspections that are missing?

The routine burden includes the time for the interface between the Illinois Resident Engineers and the NRC inspectors.

Through the Memorandum of Agreement, the NRC provides access to its training courses.

The State views the burden as being very light and that the benefits to the State far outweigh the costs associated with it. The overwhelming view of the Illinois staff is that they derive a great benefit from the service provided by the NRC and having the Resident Engineers and access to the plants; it provides huge positives for the State.

They do have an office at each power plant.

Establishing the program was done in the early 1980s and took about 10 years to accomplish. It was no small task and involved: getting the program outlined; getting the program established into Illinois law; and then the implementation, which included the hiring of staff. It was no small task, but the costs and effort are opaque.

The State negotiates fees that are paid to the Illinois Emergency Management Agency by the utility (Excelon). It is about \$18 - \$20 million per year, but includes a whole package of items, including emergency response activities. The burden on the State for the State Resident Engineers and the related information collection is a very small part of this cost and he did not have an estimate for the fraction that is relevant to the information collection.

**Ohio.** Ohio consistently observes inspections at two different commercial nuclear power plants and has previously conducted reimbursable inspections against NRC security orders.

Michael Bear, Branch Chief  
Radiological Branch Chief  
Ohio Emergency Management Agency  
Phone: (614) 799-3687

Questions asked:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?

He guesses so. Fine. It does have practical utility for the NRC. It also lets the State and the NRC know the expectations and roles and establish the ground rules, so as to avoid disputes.

2. Is the burden estimate accurate?

He is not sure. It is not a heavy burden.

The State maintains unescorted access, in case it is needed because of circumstances. To do so, the inspectors have 1 week of initial training, go to the site 1 time per month, and have refresher training once per year. He estimates that this takes 2 weeks per year per inspector.

There is no direct cost to the State for the background checks, which may be covered as part of a grant negotiated with the utility or the utility covers the cost.

3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?

The collection covers what is needed. Does not have a suggestion for enhancing the quality, utility, and clarity of the information to be collected.

4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

The burden (already low) could be reduced. Rather than having the inspector sign a protocol that stipulates the conduct of the observer and what they will or won't do with the information for every inspection, this can be done to cover the entire calendar or fiscal year. This would apply to the 2 – 3 persons that the State has observing the inspections.

Use of an on-line system that would allow the State to put in a request, rather than having to submit a letter, could reduce the burden; he is not sure about the feasibility of doing so and it would place more resources on the NRC.

5. How frequently has the State observers identified a non-conformance and, on average, how many hours is spent reporting/discussing the non-conformance with the NRC inspectors?

Unsure if the State has had an occurrence where the State observers have identified a non-conformance. The State is there to observe. Mr. Snee may have a better estimate.

6. How frequently have the views of the State observers been significantly different than that of the NRC and, on average, how many hours is spent addressing these differences with the NRC inspectors?

Unsure. He has not heard of any disconnects, so it is probably none.

**Ohio.** Ohio consistently observes inspections at two different commercial nuclear power plants and has previously conducted reimbursable inspections against NRC security orders.

Michael Snee, Chief  
Bureau of Radiation Protection  
Ohio Department of Health  
Phone: (614) 644-2732

Questions asked:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?
2. Is the burden estimate accurate?
3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?
4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?
5. How frequently has the State observers identified a non-conformance and, on average, how many hours is spent reporting/discussing the non-conformance with the NRC inspectors?
6. How frequently have the views of the State observers been significantly different than that of the NRC and, on average, how many hours is spent addressing these differences with the NRC inspectors?

Contacted, but no responses provided.

**Minnesota.** Minnesota periodically observes inspections at commercial nuclear power plants.

Sherrie Flaherty, Supervisor  
Radioactive Materials Unit  
Environmental Monitoring  
Minnesota Department of Health  
Phone: (651) 201-4522

Questions asked:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?

Yes (fine). Yes. The ability to observe the NRC inspections is a valuable experience for the State and they hope to continue to have the opportunity to do so in the future.

2. Is the burden estimate accurate?

Minnesota does not submit anything electronically. The burden estimate is accurate.

There is staff time for training provided by the utility that the State observers have to take to have access to the nuclear power plant. This is done for 1-2 inspectors per year and takes about ½-day (including travel and the distance from their offices to where the training is held).

3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?

Not that she can see.

4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

The burden collection is fairly streamlined, so she did not have a recommendation on ways to streamline the effort.

5. How frequently has the State observers identified a non-conformance and, on average, how many hours is spent reporting/discussing the non-conformance with the NRC inspectors?

The State observers are there to observe and they have not come across any non-conformances that needed to be discussed with the NRC inspectors.

6. How frequently have the views of the State observers been significantly different than that of the NRC and, on average, how many hours is spent addressing these differences with the NRC inspectors?

The State observers are there to observe. Because they are only observing, they have not had any significantly different views to discuss with the NRC inspectors.