

APPENDIX M

**U.S. Nuclear Regulatory Commission, Office Of The
Inspector General,**

**“Alleged Improper Influence By NUMARC On NRC
Standard Technical Specifications Improvement Program
(92-72H)”,**

March 10, 1993.



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

OFFICE OF THE
INSPECTOR GENERAL

March 10, 1993

MEMORANDUM FOR:

Leo J. Norton, Assistant Inspector
General for Investigations

CONCUR. This case is

closed.

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3/10/93*

FROM:



SUBJECT:

ALLEGED IMPROPER INFLUENCE BY NUMARC ON NRC
STANDARD TECHNICAL SPECIFICATIONS IMPROVEMENT
PROGRAM (92-72H)

On July 29, 1992, the Office of the Inspector General received an anonymous allegation pertaining to the NRC Standard Technical Specifications Improvement Program. Specifically, the allegor expressed his concern that NUMARC, its consultants and industry affiliates, were too influential in shaping the outcome of the program.

In support of his concern that NUMARC had improperly influenced the NRC staff, the allegor asserted that in response to the draft of the new specifications, NUMARC provided the NRC with approximately 25,000 comments which were all accepted by NRC management over the objections of the NRC staff. The allegor also claimed that NRC management did not place all the information submitted by NUMARC in the Public Document Room. Staff comments which were critical of industry positions were also not placed in the Public Document Room.

During this investigation we interviewed three members of the Technical Specifications Branch, Division of Operating Reactors Support, NRC. These interviews were conducted to determine if the problems with the technical specification program as described by the anonymous source had been perceived by other members of the NRC staff involved in the program.

Two of the people who were interviewed related that NRC upper management appeared to accept the industry positions on the technical specifications program even though the staff developed positions to the contrary. However, these individuals also stated they did not consider management as being in collusion with the industry: they just agreed with the industry arguments.

The third person interviewed by OIG stated that the process worked as expected. He explained that the industry presented its position in their comments to the draft technical specifications,

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and the staff presented their defense of the draft specifications. He opined that NRC management provided the staff with ample opportunity to present their positions on industry comments.

During this investigation another member of the Division of Operating Reactor Support staff explained that the NRC program to improve technical specifications was initiated by the NRC to simplify technical specifications for the industry. Because the goal of the program was to help industry in the area of technical specifications, NRC management gave credence to the opinions expressed by industry on many of the proposed changes.

The letter provided by the anonymous allegor does not document wrongdoing on the part of NRC management. Instead, it indicated disagreement with decisions of a technical nature made by NRC management. Although the allegor claimed that the industry improperly pressured NRC management into accepting their input as part of the new standard technical specifications, members of the NRC staff interviewed by OIG did not agree with this perception. The allegor's letter also mentioned that all the comments from the industry and the staff were not entered in the Public Document Room. This is an administrative matter, and the OIG does not have the investigative resources available to track the numerous comments to determine if they were entered into the public document room data base. Based on these findings and observations, this investigation is closed to the files of this office.

