

## **Summary of NRC Public Teleconference on Safety Culture Initiatives February 2, 2006**

The purpose of the February 2, 2006 meeting was to discuss with external stakeholders changes that the NRC staff has made to inspection procedures and inspection manual chapters in the NRC Reactor Oversight Process (ROP) and to discuss the details of the upcoming February 14, 2006 public meeting. The Staff described in high level detail proposed changes to baseline Inspection Procedures (IP) 71152 Problem Identification and Resolution, 71153 Event Follow-up, 93812, Special Inspection, 93800 Augmented Inspection Team and 95001, and 95002 supplemental inspection procedures, and Inspection Manual Chapters (IMC) 0305, and 0612, which provide guidance to NRC inspectors in the areas of assessing inspection observations, and writing inspection reports. The staff stated that IP 95003 was not yet ready for public comment, and would be provided for comment separately.

The NRC staff described to the stakeholders the purpose of the current IPs and IMCs and the proposed changes to each of the IPs and IMCs. Specifically, the staff described where the NRC's safety culture components would be incorporated, and how the cross-cutting areas would change to better align with what is important to safety culture. There were concerns expressed from industry representatives regarding NRC's determination of a substantive cross-cutting issue, and how staff will use the safety culture components to determine if performance deficiencies had common causal themes associated with them. NRC staff assured the stakeholders that the criteria for determining whether a performance deficiency had a cross-cutting theme associated with it would not change under the proposed process.

There was a concern expressed by a few stakeholders that some of the safety culture components contained elements that are beyond the NRC's purview for regulatory enforcement. The concerns specifically addressed operational experience in IP 71152 for Problem Identification and Resolution. Since the NRC does not currently require licensees to have operating experience programs, the concern stated was that NRC inspectors may begin to inspect a program that not all licensee's have. The staff addressed this concern by explaining that the NRC currently looks at areas that are not regulatory requirements, specifically, operating experience and that it would only be looked at in conjunction with a finding or performance deficiency.

There was a concern expressed that under the enhanced process, inspectors might begin assessing a licensee's safety culture without first waiting for the licensee to do a root cause investigation. The staff assured stakeholders that the process of reviewing a cross-cutting aspect of a finding remains the same. Inspectors would appropriately consider whether a safety culture component, as a cross-cutting aspect, played a role in the performance deficiency associated with the finding, but inspectors will not be directly inspecting safety culture components in the baseline inspection program.

There was a concern expressed by one stakeholder about IP 95001, which is used to inspect plants in the Regulatory Response Column of the Action Matrix. The purpose of this procedure is to provide assurance that the root causes and contributing causes of a performance deficiency are understood, and that licensees take corrective actions which are adequate to resolve the problem and prevent recurrence. The concerned stakeholder expressed the view that this was similar to the "seatbelt rule," referencing the idea that police could not issue tickets for not wearing seatbelts unless the offender was committing another driving offense. The staff stated that the NRC would engage the licensee in dialogue to understand the consequences of

the licensee not evaluating safety culture components when performing a root cause investigation. If the NRC identifies that not addressing safety culture components led to a failure, then NRC would evaluate that an inadequate root cause investigation was completed by the licensee. The concerned stakeholder responded that the process indicates that unless there is a substantive observation, the evaluation is only a warning to the licensee. NRC staff emphasized that the threshold for the performance deficiency had to be more than minor, which means that a major event does not have to occur before NRC inspectors begin engaging the licensee.

There were questions from the stakeholders regarding training of NRC inspectors and the time line for the new procedures and processes to take effect. The staff answered that the new procedures and processes should be implemented by July 1, 2006 and that inspectors will be trained in the May-June time frame. One stakeholder wanted to know when the staff would inform the Commission of our proposed process and procedural changes. Staff indicated that the Commission Technical Assistants would be briefed in early March 2006, and that the staff would follow-up with a Commission Paper that outlines the process and plans for implementation. NRC staff explained that there would be an initial implementation period of 18 months in which staff will look at the effectiveness of the processes, and make any necessary changes.

The meeting ended with NRC staff explaining that there would be another meeting on February 14, 2006, and requesting comments on the IPs and IMCs by February 16, 2006.