

**Reactor Oversight Process (ROP)
Safety Culture Focus Team (SCFT) Charter
(10/18/06 version)**

I. Background

The staff undertook an initiative to enhance the Reactor Oversight Process (ROP) to more fully address safety culture and safety conscious work environment based on Commission direction as described in SECY/SRM-04-0111. A status of the staff's activities is provided in SECY-05-0187 and SECY-06-0122. SECY/SRM-05-0187 provided additional Commission direction. The modified ROP was implemented on July 1, 2006 via the issuance of all but one of the revised Inspection Procedures (IPs) and Inspection Manual Chapters (IMCs) as part of Change Notice 06-015 (the final IP will be issued in October 2006).

II. Purpose

To promote the implementation of the ROP safety culture changes (CN 06-015 and the CN for IP95003) in an effective and consistent manner across the regions during the initial 18-month implementation period. To resolve implementation issues and act on lessons learned information.

III. ROP SCFT Functions

1. Develop and coordinate appropriate monitoring/assessment techniques for the implementation of changes made to the ROP to incorporate safety culture. Compile lessons learned and evaluate/act on resultant information.
2. Assist in the development and review of inspector training material related to safety culture including IP95003 just-in-time training.
3. Serve as a clearinghouse to resolve ROP safety culture implementation issues and questions in a timely manner. This includes issues detected by the focus team, raised by regional staff (through the ROP feedback process), and identified by industry (primarily through ROP monthly meetings).
4. Interface with external and internal stakeholders on ROP safety culture topics through various forums (e.g. RUG meetings, public monthly ROP meetings, NRC Safety Culture Working Group).
5. Coordinate safety culture assessor staffing and deployment of just-in-time training for IP95003 inspections.
6. Provide input to regional and headquarters management briefings, responses to ticketed items, and Commission papers as needed.

7. Propose program changes and provide input for annual ROP assessment Commission paper for FY2007 based on assessment of program implementation.

IV. ROP SCFT SCWE Finding Review Group Functions

Interact with regional staff prior to their exit meeting when findings with a potential Safety Conscious Work Environment (SCWE) cross-cutting aspect are identified during an inspection. Perform a review of findings with a cross-cutting aspect associated with SCWE prior to issuance in inspection report. See the attached protocol for a complete description of the SCWE Finding Review Group (SCWE FRG).

V. ROP SCFT Chair and Vice-chair Functions

1. Schedule and lead ROP SCFT meetings
2. Prepare minutes and track action items from the meetings
3. Circulate draft products (status reports, presentations, and correspondence) to ROP SCFT for review
4. Ensure coordination with NRC Safety Culture Working Group, as needed
5. Generate e-mail notification for responsible managers in the event of a modification to the SCFT Charter

VI. ROP SCFT Membership

* - denotes staff who will comprise the membership of the SCWE FRG. Only the OI, Field Office Director for the particular region raising the SCWE finding will be involved with the SCWE FRG evaluation of that finding.

Bob Gramm, NRR, Chair*
Isabelle Schoenfeld, OE, Vice-Chair
June Cai, NRR
Marvin Sykes, RI, DRS Operations Branch Chief*
Eugene Cobey, RI back-up*
Scott Shaeffer, RII, DRP Branch Chief*
Ken O'Brien, RIII, Enforcement Officer*
Linda Smith, RIV, DRS Engineering Branch Chief *
Valerie Barnes, RES
Julius (J) Persensky, RES back-up
Lisamarie Jarriel, OE, AAA*
Appropriate OI Field Office Directors*

VII. Duration

The ROP SCFT and SCWE finding review group will be in-place through May 2008. This will cover the initial 18-month implementation phase of the safety culture enhancements to the ROP, and the time period to prepare the FY07 ROP self-assessment SECY paper. In May 2008 a decision will be made by OE, NRR, RES, OI, and the regions on the merits to either continue, modify, or disband the focus team and the SCWE FRG.

VIII. Level of Effort

The ROP SCFT will meet periodically and as the need arises. The SCWE FRG will meet on an as-needed basis. It is expected that the level of activity will be higher for the first 6 - 9 months of the 18-month implementation period as any initial issues are encountered with the new program, and then again towards the end of the 18-month period as lessons learned are compiled.

IX. Charter Modifications

The ROP SCFT is authorized to modify this charter as needed to resolve unanticipated problems or issues that arise. The cognizant regional and headquarters directors should be notified by an e-mail from NRR/DIRS/IPAB of the modifications as soon as practical.

Attachment A - Safety Conscious Work Environment Finding Review Group Protocol

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Attachment A - Safety Conscious Work Environment Finding Review Group Protocol

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ADAMS ACCESSION NO.: ML062640111

* - see prior concurrence

OFFICE	DIRS/IPAB	DIRS/IPAB	RES/DRASP	OI	RI/DRS
NAME	RGramm* RA	JAndersen* RA	FEltawila* RA	JAFitzgerald* RA	ARBlough via phone
DATE	9/22/06	9/26/06	10/17/06	9/27/06	9/29/06
OFFICE	RII/DRP	RIII/DEP	RIV/DRS	OE	DIRS/NRR
NAME	CCasto via e-mail	GGrant via e-mail	DChamberlain via e-mail	CCarpenter* RA	ECollins
DATE	10/18/06	10/20/06	10/5/06	10/11/06	10/24/06

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**Safety Conscious Work Environment
Finding Review Group Protocol
(10/18/06 version)**

I. Background

The staff undertook an initiative to enhance the Reactor Oversight Process (ROP) to more fully address safety culture, and safety conscious work environment based on Commission direction as described in SECY/SRM-04-0111. A status of the staff's activities is provided in SECY-05-0187, and SECY-06-0122. SECY/SRM-05-0187 provided additional Commission direction. The modified ROP was implemented on July 1, 2006 via the issuance of all but one of the revised Inspection Procedures (IPs) and Inspection Manual Chapters (IMCs) as part of Change Notice 06-015 (the final IP will be issued in October 2006).

One aspect of the change involved IMC 0612 "Power Reactor Inspection Reports" (IMC-0612) section 06.04c(5) that specifies how findings related to the three cross-cutting areas will be documented. In order to support the ROP assessment process, findings with a cross-cutting aspect must meet certain requirements. These requirements include that the finding must be more than minor, the cross-cutting aspect must be a significant contributor to the finding, and the finding is reflective of current licensee performance. Appendix F of IMC-0612 was revised to provide several examples of how findings with cross-cutting aspects should be handled by the inspectors.

During the internal review of the draft revised inspection procedures and inspection manual chapters, concerns were raised about the revised IMC-0612 and associated Appendix F regarding the need to ensure that potential findings with Safety Conscious Work Environment (SCWE) cross-cutting aspects were handled through the most appropriate process, i.e., either through the ROP or the Agency Allegation program. There was concern that inspectors may have a difficult time making that decision in a consistent manner, and that there was therefore a need for additional multi-office management review of the findings with SCWE cross-cutting aspects, to ensure consistency across the regions.

II. Purpose

The purpose of the review of the SCWE cross-cutting aspect of a finding is to ensure regulatory consistency by reviewing and dispositioning all ROP potential findings in the SCWE cross-cutting area. The review group will review the potential finding and the proposed SCWE cross-cutting aspects prior to the documentation of the finding in an Inspection Report (IR). In addition, the regions will be encouraged to hold discussions with the SCWE Finding Review Group (SCWE FRG) during the conduct of their inspections when SCWE related issues arise. The review group will ensure a consistent treatment of SCWE findings and that they are appropriately handled within the ROP and/or the Agency Allegation program.

III. Staffing

The SCWE review is performed by designated representatives from the ROP Safety Culture Focus Team (SCFT).

If the review group voting members are not able to come to a consensus, the finding under discussion will be escalated to the next level of cognizant managers from OE, NRR, OI, and the region(s).

The non-voting members on the review group will bring focused knowledge of the particular potential finding under discussion and supplemental SCWE expertise to the review deliberations.

Voting members (* - Only the OI, Field Office Director for the particular region raising the SCWE finding will be involved with the finding review group evaluation of that finding.)

Lisamarie Jarriel, OE, Agency Allegations Advisor (AAA) (Chair)
Kenneth O'Brien, RIII, Enforcement Officer (Vice-Chair)
Bob Gramm, NRR IPAB
Marvin Sykes, RI, DRS Branch Chief
Eugene Cobey, RI back-up
Scott Shaeffer, RII, DRP Branch Chief
Linda Smith, RIV, DRS Branch Chief
Ernest P. Wilson III, OI, Director, Field Office Region I*
Cheryl L. Montgomery, OI, Director, Field Office Region II*
Richard C. Paul, OI, Director, Field Office Region III*
Darrell B. White, OI, Director, Field Office Region IV*

Non-voting members as appropriate

Cognizant regional branch chief from the affected region
Cognizant regional division management from the affected region (if-needed)
Inspector(s) from the affected region (if-needed)

IV. Level of Effort

The level of effort anticipated for the SCWE FRG is dependent upon the number of findings with potential SCWE related cross-cutting aspects that are identified by the ROP. It is expected that these types of findings will be identified on an infrequent basis. Because of the varied geographic location of the staff performing the review, the meetings will typically be held via teleconference or video conference.

V. Scope

The scope of the SCWE FRG review covers all ROP potential findings that are proposed to have a SCWE cross-cutting aspect. The SCWE FRG is authorized to evaluate each potential finding, and ensure the consistency and appropriateness of the handling of the finding by the regions. Following the SCWE FRG disposition of a finding, the finding will be handled either within the ROP inspection report process described in IMC-0612, or within the Agency Allegation program.

The SCWE FRG is authorized to modify this protocol as needed to resolve unanticipated problems or issues that arise. The cognizant regional and headquarters directors should be notified by an e-mail from NRR/DIRS/IPAB of the modifications as soon as practical.

VI. Actions

1. If, during an inspection, the inspector identifies what he/she believes is a finding with a SCWE cross-cutting aspect (i.e., the most meaningful insight into the performance deficiency involves inadequacies in the environment for raising safety concerns rather than individual performance), the inspector, via their regional branch chief (and in consultation with their division management as appropriate), will contact the SCWE Finding Review Group (FRG) for guidance prior to gathering supporting information. The primary purpose of the initial contact is to help ensure such issues raised are properly handled within either the inspection process or the agency Allegation Program. *Note: Statements of SCWE inadequacies related to the identified finding would include behaviors that discouraged the individual from raising safety concerns, such as action(s) that led the employee to think they would be retaliated against for raising a concern or inaction by management on previous concerns raised.* Specific statements involving actual acts of retaliation or other wrongdoing should be handled within the Allegation Program.

The regional branch chief should contact the SCWE FRG chair or vice chair to schedule a meeting with the group to advise the inspector how to proceed. The cognizant regional division management will participate in the meeting as appropriate.

2. Upon completion of the portion of the inspection dealing with the finding with a potential SCWE cross-cutting aspect, but prior to exiting with the licensee, the inspector via their regional branch chief (and in consultation with their division management as appropriate), should contact the SCWE FRG for further review. Whenever possible, supporting information brought to the SCWE FRG prior to exiting with the licensee should include confirmation that: (1) the behavior(s) occurred; (2) other individuals witnessed the behavior(s); (3) others similarly perceived the behavior(s) as discouraging the raising of safety concerns; and, (4) the behavior(s) would reasonably discourage individuals from raising safety concerns. If the inspection schedule does not allow the opportunity to hold discussions with the SCWE FRG prior to the exit, the inspector should contact their branch chief (and in consultation with their division management as appropriate) and the regional enforcement/allegation staff to discuss the handling of the finding.
3. Following the inspection exit meeting, the region should process the item through its normal process to develop an inspection finding. Prior to issuance of the report, each region should submit to the SCWE FRG the draft IR language for the potential finding and the associated draft Plant Issues Matrix wording.
4. A SCWE FRG meeting will be convened as soon as practicable (support the IMC-0612 IR issuance timeliness requirements) to review the potential finding.

5. The SCWE FRG evaluates each potential finding with a SCWE cross-cutting aspect to determine:
 - A. whether the finding is appropriately categorized as a finding with a SCWE cross-cutting aspect that should be handled in the ROP, or
 - B. whether the potential finding should be handled within the Agency Allegation program and referred to the regional Allegation Review Board.
6. The SCWE FRG will vote and come to a consensus on the proper method to handle the finding. The issue will be escalated to management if the review group cannot reach general agreement on a decision.
7. The affected region will enter the finding into the appropriate agency process based on the determination of the SCWE FRG.
8. The NRR/IPAB member will record the minutes of the SCWE FRG meeting, document the decisions of the group, and send a summary to all regions and participants after the meeting.
9. The SCWE FRG will propose enhancements to ROP implementation guidance as needed based on lessons learned from panel reviews.

VII. Guidance

The SCWE finding review and disposition of potential findings with SCWE cross-cutting aspects should be done in a timely manner in support of the IMC-0612 IR issuance requirements. If there are extenuating circumstances or the need for additional information to inform the SCWE finding review, then an issue may remain an unresolved item and be tabled for consideration at a future meeting.

The SCWE FRG decisions will be based on agency policy contained in MD 8.8, "Management of Allegations," the Enforcement Manual, and ROP IPs and IMCs.