



# Union of Concerned Scientists

Citizens and Scientists for Environmental Solutions

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Office of Nuclear Reactor Regulation, Mail Stop 011A11  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

**SUBJECT: COMMENTS ON NRC SAFETY CULTURE PROCESS CHANGES**

Dear Mr Gramm:

Yesterday's public meeting was extremely helpful to me in understanding the nature of and reason for proposed changes to the NRC's safety culture process. I appreciate the NRC staff taking the time to meet with external stakeholders and solicit comments and questions about the proposals. I also greatly appreciate that Nathan Sanfilippo of the NRC staff distributed electronic copies of the draft documents to be discussed during the public meeting about a week in advance. This information enabled me to make a more informed decision about whether to attend the public meeting and then to be better prepared to more meaningfully participate during the meeting.

I provided a few comments during yesterday's meeting. Attached are my full comments, including those made yesterday and supplemented by a few others.

Overall, I remain convinced that the NRC is on the right track with its safety culture process and that the proposed changes represent a minor mid-course correction warranted at this point based on information developed since the safety culture process was instituted.

Sincerely,

David Lochbaum  
Director, Nuclear Safety Project

Attachment: Comments on NRC Safety Culture Process Changes

## COMMENTS ON NRC SAFETY CULTURE PROCESS CHANGES

Comment No.	Document	Comment
1	Cross-cutting Issue Review Effort	<p>PV-6 recommended that IP 95003 be revised to permit the NRC to verify a licensee’s root cause investigation in lieu of the NRC performing a separate root cause evaluation.</p> <p>UCS feels it is extremely important to maintain the equivalent amount of publicly available information when NRC credits a licensee effort to replace or reduce the scope of an NRC effort.</p> <p>In this case, the proposed change would replace or reduce the level of effort of a root cause evaluation performed by the NRC. The licensee’s root cause evaluation should be placed on the docket and thus made publicly available since it forms the basis for the NRC’s reduced effort.</p> <p>It is not acceptable for the NRC inspectors to review the licensee’s non-docketed root cause evaluation and provide a brief summary of it in a publicly available NRC inspection report.</p>
2	Cross-cutting Issue Review Effort	<p>PV-8 recommended that NRC should consider developing a standardized safety culture assessment process.</p> <p>UCS feels it is beneficial for the NRC to communicate as clearly as possible its expectations to its licensees, including attributes of an acceptable safety culture assessment process.</p> <p>In this case, the NRC could achieve that communication goal by endorsing an industry procedure or guidance document.</p> <p>However, the NRC should be extremely cautious not to discard the immense value from diverse methodology along the pathway to standardization. For example, the industry often submits topical reports describing methodology it proposes to apply in meeting NRC’s well-defined ECCS objectives. In reviewing the topical reports, the NRC staff employs equally valid but diverse computational methods to verify that the proposed methodology is acceptable.</p> <p>Likewise, better safety culture assessments will be achieved when the licensee employs a NRC-accepted method to achieve results that are then verified by the NRC using different methods than when NRC merely re-plows the same ground covered by the licensee.</p>
3	Cross-cutting Issue Review	<p>PV-13 recommends assessing precursors as part of the</p>

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	Effort	<p>baseline inspection program.</p> <p>UCS shares the concerns expressed by Fred Mashburn of TVA and other industry representatives during yesterday's meeting. The lure of the leading indicator that will prevent all substantive performance problems is quite strong, but that role is reserved for industry and industry's agents (i.e., INPO) and not a regulator. The regulator's role should be focused on the least-lagging indicators rather than leading indicators.</p>
4	Cross-cutting Issue Review Effort	<p>PV-15 recommended that consideration be given to staff the NRC resident inspectors at three unit sites at N + 1 rather than N.</p> <p>UCS feels this recommendation is overly narrow and misses the true opportunity. In 1999, the NRC changed its resident inspector staffing policy from N + 1 to N. Since that change, failure of the NRC staff to abide by the new N staffing policy was identified as a contributing factor to the Davis-Besse debacle. Now, even adhering to the N policy has been identified as a potential contributing factor at Palo Verde. This situation begs loudly for a broad review of the N vs. N + 1 policy, not a narrow one-off band-aid fix at the very few three unit sites.</p>
5	Cross-cutting Issue Review Effort	<p>PV-17 recommended that the NRC add one FTE per region to aid the initial and continuing training needs of the NRC inspection staff.</p> <p>UCS feels that safety culture skills are not intuitive and require development. This recommendation seems fully justified.</p> <p>One way to implement this recommendation, or a way to supplement it, would be to view the 95003 inspections as training opportunities. On page 64 of the draft revision to the 95003 inspection procedure, the NRC staff states "For planning purposes, the ROP budgets 3000 hours (distributed among the four regions) to conduct one 95003 inspection per year." UCS recognizes that this statement is neither a commitment to perform one 95003 inspection annually nor a constraint to perform only one 95003 inspection. But it reflects the NRC's expectation that, on average, only one 95003 inspection per year will be required across the country. All things being equal, this expectation translates into each of the four NRC regions "hosting" a 95003 inspection once every four years. This frequency is less often than all other inspections performed within the three-year cycle of the reactor oversight process. In industry parlance, the 95003</p>

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		<p>inspection is thus an “infrequently performed evolution.”</p> <p>Returning to PV-17 from this lengthy preamble, there may be justifiable value in each 95003 inspection including observers from the other regions. The 95003 inspection team will very likely include working members from the other regions. But those members may not be in the region or have other jobs within the region four years later when that region hosts a 95003 inspection. If each 95003 inspection team included observers (e.g., junior staffers with no assignments other than to acquire an understanding of the process), the regions could be better positioned to assemble the team when it’s their turn.</p> <p>With respect to PV-17, the one FTE per year for the training needs of the inspection staff might cover on-the-job observation training during 95003 inspections.</p>
6	Draft Manual Chapter 0305	<p>Will the proposed safety culture process changes apply to the entire site organization? In other words, are security officers included or excluded?</p> <p>UCS feels that the safety culture process changes must apply to the entire site rather than the entire site minus the security force.</p>
7	Draft Inspection Procedure 95003	<p>On page 2, the NRC proposes a change to enable the 95003 inspection team to delay decision-making on the significance of findings made by the team.</p> <p>UCS strongly feels it is entirely wrong for the NRC to adopt a cheap “operator work-around” to delay reaching a final determination on the significance of inspector findings. SDP timeliness has long been a major fault of the ROP and the NRC should be seeking ways to improve rather than further delay SDP timing.</p> <p>If the 95003 experience at Palo Verde indicated that the team members had more work than time to perform it, the right answer is to add staff until the team can complete its work in the allotted time. Depriving the public of timely notification of finding significance is the wrong way to resolve this problem.</p> <p>It seems illogical to develop a “work-around” for the 95003 inspection team findings that is not necessary for baseline, 95001, and 95002 inspections. The 95003 inspection is higher profile in terms of public monitoring and deserves comparable – not reduced – timeliness.</p>

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8	Draft Inspection Procedure 95003	<p>On page 15, the NRC proposes that the team obtain information from licensee safety culture assessments conducted within the past 5 years.</p> <p>UCS feels that, because the ROP is framed on a three-year cycle, information older than three years must be shown to be relevant before it is assumed to be so.</p> <p>In this case, the NRC team should obtain safety culture information within the past 3 years. Good or bad, safety culture information from five years ago is as irrelevant to today's situation as the reactor's Action Matrix column placement from five years ago.</p>
9	Slides – “Meeting on Draft Enhancements to Reactor Oversight Process Safety Culture Guidance with ROP Task Force”	<p>The last bullet on slide 45 involves the NRC's proposal to provide additional guidance on documenting in inspection reports when findings are no assigned cross-cutting aspects. During the meeting, NRC staff explained that their current thinking is to provide a one-line sentence in the inspection reports to the effect that the finding was determined not to have cross-cutting aspects, with no mention of the underlying analysis or justification.</p> <p>UCS feels very strongly that ALL regulatory decisions should be documented along with the bases for those decisions.</p> <p>In this case, the NRC inspection reports must contain at least brief discussions of why the NRC labeled certain findings as having cross-cutting aspects and did not assign aspects to seemingly similar findings. UCS is not suggesting that the NRC is wrong. Far from it – UCS believes that, with few exceptions, the NRC staff gets it right. The NRC staff evaluates findings and, based on a variety of factors, determines that some have cross-cutting aspects while others do not. All we advocate is documenting that decision-making process in Cliff Notes rather than encyclopedic style.</p>