

COMMENTS ON DRAFT NRC INSPECTION PROCEDURE 71152

Comment 1. Section 03.03.b.3

This section of the procedure provides guidance for the review of self or independent safety culture assessments performed by a licensee. It refers to Inspection Procedure (IP) 95003, Sections 03.07 and 03.09.a.2 for guidance on the review. The IP 95003 guidance was developed to support NRC review of a third-party safety culture assessment and is not directly applicable to review of self or independent safety culture assessments.

The referenced section states that the fundamental difference between a third-party safety culture assessment and a self-assessment or an independent assessment is “the degree of separation between the safety culture assessors and the site.” The differences between third party safety culture assessments and self or independent safety culture assessments go beyond “assessor independence” and should be more clearly delineated and reflected in the review guidance provided in this section.

Inspection Procedure 95003 was written to evaluate third-party safety culture assessments when performance has substantially declined. This necessitates a broad scope, multi-disciplined team and a comprehensive assessment methodology. In contrast, self- and independent assessments of safety culture may be requested by the NRC in response to an extended substantive cross-cutting issue, which could involve as few as four green findings that have a common theme and share the same cross-cutting aspect. The approach to assessing safety culture in this instance would be different from that used in a third-party assessment. The focus of the effort would be on the underlying issues for the cross-cutting aspect involved and the safety culture implications of these issues. This could result in the selection of one assessment method, such as surveys, interviews or focus groups, but would seldom require multiple overlapping methods. Thus, it would not be appropriate to expect the same scope and methodology for a safety culture assessment requested by the NRC as that for a 95003 inspection.

This section currently instructs that the guidance is to be applied “at a lesser depth than for an IP95003 inspection.” Without more specific guidance, the “lesser depth” criterion will be determined on a case-by-case basis and will lead to inconsistent application between inspectors and regions. Absent additional guidance, the “lesser depth” criterion will likely be applied in a conservative manner that differs little from a full “95003” safety culture assessment review.

Therefore, we recommend that guidance contained in IP 71152 be expanded to more clearly delineate differences between self, independent and third party safety assessments, including scope, focus and objectives.

Lastly, the final paragraph of this section is unclear regarding the expectations for licensee actions to address issues or weaknesses identified by the NRC. We recommend that the last sentence be reworded to state:

“The licensee is expected to address the issues or weaknesses identified by the NRC. These actions can include performance of additional safety culture assessment, evaluation and/or corrective action efforts.”

Comment 2. Section 03.03.b.2

This section states:

“The licensee’s periodic safety culture assessment should be reviewed from the PI&R perspective to ascertain the adequacy of the licensee’s corrective actions to address the issues identified by the safety culture assessment.”

This statement could be interpreted to mean that all issues identified by the safety culture assessment should be addressed through the licensee’s 10 CFR 50 Appendix B Corrective Action Program (CAP). Only those issues that represent a condition adverse to quality (or significant condition adverse to quality) are required to be addressed by the CAP. While a licensee’s CAP can be used to address a broad range of issues, some issues may be more appropriately dispositioned through other means. Due to the visibility of items in the CAP, and the potential for issues of a proprietary or personnel nature to be identified in assessments of safety culture, a licensee may determine that these items are more appropriately addressed by other means.

To address this concern, we recommend changing the term “corrective actions” to “actions.”

In addition, the statement cited above discusses safety culture assessment reviews and states that they should be reviewed “from the PI&R perspective.” The intent of this phrase is not clear. We recommend that “from the PI&R perspective” be changed to “to ensure the licensee is tracking and addressing all the issues.”

Comment 3. Section 03.03. b.4

This section added guidance that “a more frequent biennial inspection may be implemented to perform a focused follow-up of a repetitive substantive cross-cutting issue.” This sentence raises several questions.

- Is the “more frequent biennial inspection” an acceleration of the regularly scheduled biennial inspection or a special inspection performed in addition to the biennial inspection?
- What is the meaning of “focused follow-up?”
- What is the definition of “repetitive substantive cross-cutting issue?”
- Is the decision to perform a focused follow-up inspection tied to the length of time that a SCCI has existed, or is it tied to confidence in licensee progress in address the SCCI?

In order to consistently implement this guidance, additional guidance should be added to address the circumstances that may prompt the focused inspection and the scope of the focused inspection.

Comment 1. 0612-03. Definition of a Cross Cutting Aspect & Performance Deficiency & Section 05.05

The definition of a cross cutting aspect was changed to:

“A performance characteristic that is the most significant contributor to a performance deficiency and provides the most meaningful insight for assessing performance of the licensee.”

This change now implies that all performance deficiencies would have a cross-cutting aspect, since the aspect is now defined as the “most significant” contributor to a performance deficiency, irrespective of the significance of individual contributors. Previously, a cross-cutting aspect was defined as playing a “significant role” in contributing to the performance deficiency. This change (and the associated concern) is also reflected in changes to the definition of a “performance deficiency” and in Section 05.05.

We believe the intent of this change is to avoid the assignment of multiple aspects to a single performance deficiency. In order to address the concern cited above, we recommend that the original wording be retained and that clarification be added to state that, with rare exception, only one aspect should be assigned to an individual finding.

Comment 2. Appendix B, Section 5, Screen for Cross-Cutting Aspect(s)

The reference to Enforcement Manual guidance Section 2.3.17 should be changed to 2.13.7.