PUBLIC WORKSHOP ON THE DEVELOPMENT OF A POLICY STATEMENT(S) ON SAFETY/SECURITY CULTURE, JANUARY 28, 2009 - TOPIC QUESTIONS

The Nuclear Regulatory Commission (NRC) is seeking input on key topics related to the direction from the Commission on Safety Culture Policy Statement development. Specifically, the NRC is seeking input on the following topics:

1. Should NRC combine its expectations in the policy statement for safety culture and security culture or should NRC keep its expectations separate?
2. How should NRC increase attention by NRC, licensees, and certificate holders to safety culture in the materials area?
3. Does safety culture as applied to reactors needs to be strengthened?

Obtaining public input on these topics will be the focus of the January 28, 2009, public meeting. The NRC has developed a series of questions relating to each of these topics to foster discussion and to solicit specific information relating to the Commission direction. Some of the questions use terminology such as "your organization," but input from individual stakeholders who may not be part of a specific organization in the topic area are requested as well.
The following format is used in the presentation of the topics below. Each topic is assigned a number and a short title, and a list of questions for consideration then follows. Each question, or set of questions, is also assigned a number. When providing written comments, please list the relevant topic and question numbers when appropriate.

When commenting, please exercise caution with regard to site-specific security-related information. Comments will be made available to the public in their entirety. Personal information, such as your name, address, telephone number, e-mail address, etc. will not be removed from your submission.

You are encouraged to provide your comments to the following contact, by February 11, 2009, to ensure the consideration of your comments. Comments received after February 11, 2009, will be considered, if it is practical to do so: June Cai, june.cai@nrc.gov

Topic 1: Should NRC combine its expectations in the policy statement for safety culture and security culture or should NRC keep its expectations separate?

Q1.1. Within organizations, one can think about safety and security in different ways. For example, safety may take precedence over security, security may take precedence over safety, or both may be treated equally. Different types of licensees, certificate holders and organizations have a variety of experiences and perspectives. How does your organization view the relationship or hierarchy between safety and security functions and decision making?

Q1.2. While efforts to maintain safety and security have the same common goal of protecting public health and safety, there can be distinct differences in the approach used to achieve that goal and that may have competing outcomes. One example is how information is shared to mitigate risks, where increased sharing of information may contribute to maintaining safety, but presents increased security risks. What are other examples where efforts to maintain safety and security require different approaches or result in competing outcomes that need to be addressed to achieve the desired outcome or goal?

Q1.3. When resolving differences or conflicts while seeking to maintain safety and security — such as when managing risk, sharing information, planning work, correcting problems, etc. —

and where changes or actions that are taken to address either a safety issue or a security issue could have an adverse effect on the other (i.e., security or safety, respectively); what challenges does your organization face?

Q1.4. What challenges or complexities arise when licensees and certificate holders work with contractors and vendors where the organizations either take different approaches to resolving conflicting outcomes when they seek to maintain safety and security or the organizations may balance the conflicting outcomes of efforts to maintain safety and security differently?

Q1.5. What practices have been used to effectively address the conflicts to achieve the desired outcomes or goals?

Q1.6. Given that there are several ways to think about safety culture and security culture within organizations, the NRC wishes to express a policy in a way that best furthers its goals of protecting the public and environment and ensuring the secure use and management of radioactive materials.
If the above issues are viewed in terms of safety culture and security culture implementation, what benefits or challenges would licensees, certificate holders, Agreement States, or others foresee with a single policy statement? Two separate policy statements?

Q1.7 How can the NRC best express a policy that gives appropriate weight to safety culture and security culture across the range of licensees and certificate holders?

Q1.8. Given the diversity among the licensees and certificate holders regulated by the NRC and the Agreement States, how should the policy statement address any differences in emphasis on safety and security at the different types of licensees and certificate holders?

Topic 2: How should NRC increase attention by licensees and certificate holders to safety culture in the materials area?

Q2.1. What is the NRC doing that is working well to help materials licensees and certificate holders to maintain their safety culture and security culture?

Q2.2. What might the NRC do differently, or that it is not currently doing, to increase NRC, licensee, or certificate holder attention to safety culture at materials licensees and certificate holders?

Q2.3. How could the NRC better interact with materials licensees and certificate holders to help them to pay greater attention to maintaining their safety culture and/or security culture?

Q2.4. If the NRC expresses a policy for materials licensees and certificate holders to maintain safety culture and security culture, or made its references to safety culture and security culture more explicit in its interactions with these licensees and certificate holders, how would their performance change?

Q2.5. What should the NRC consider when developing policy statement(s) on safety culture and security culture?

Q2.5.1. What is the current level of understanding of materials licensees and certificate holders of the NRC's expectations that they maintain a safety culture that is cognizant of issues

relating to security? How does this level of understanding change with the type of licensee or certificate holder?

Q2.5.2. How should the NRC consider the different activities (e.g., risk, type of material, quantities of materials, how the material is used, location, etc.) conducted at materials licensees and certificate holders when evaluating whether, or how, to express its policy?

Q2.5.3. How should NRC consider differences in the materials licensees and certificate holders (e.g., size of workforce, relationship to activities not regulated by the NRC, etc.) when evaluating whether, or how, to express its policy? What differences should the NRC consider?

Q2.5.4. What are the unique aspects of security at materials licensees and certificate holders that the NRC should consider when expressing its policy?

Q2.5.5. What topics should be addressed in the policy statement(s) that would be of value to materials licensees and certificate holders?

Q2.5.6. How could the policy statement(s) effectively address issues that involve both safety and security (at the safety/security interface) at materials licensees and certificate holders?

Q2.5.7. How can the NRC best express a policy that gives appropriate weight to safety culture and security culture across the range of licensees and certificate holders?

Q2.5.8. Given the diversity among the licensees and certificate holders regulated by the NRC and the Agreement States, how should the policy statement address any differences in emphasis on safety and security at the different types of licensees and certificate holders?

Q2.6. How should the NRC work with the Agreement States to encourage increased attention being focused on safety culture, including the unique aspects of security, at Agreement State licensees?

Q2.6.1. What is the level of understanding at Agreement State licensees regarding the value in maintaining safety culture and security culture?

Q2.6.2. What is the level of understanding of safety culture and security culture within the Agreement States?

Q2.6.3. How do the Agreement States view the NRC's goal of increasing the attention paid to safety culture and security culture at materials licensees and certificate holders?

Q2.6.4 What topics do the Agreement States believe should be addressed in the policy statement(s)?

Q2.6.5. How could the NRC help the Agreement States to increase attention to safety culture and security culture at their licensees?

Q2.6.6. How should the NRC address safety culture and security culture at Agreement State licensees that engage in activities within NRC jurisdiction under reciprocity?

Q2.6.7. How might NRC use stakeholder involvement to increase the attention that materials licensees and certificate holders give to maintaining a safety culture, including the unique aspects of security?

Topic 3: Does safety culture as applied to reactors needs to be strengthened?

A number of enhancements were made to the ROP in 2006 to address safety culture (for example: safety culture cross-cutting aspect assignment to findings; identifying substantive cross-cutting issues; performing an independent NRC safety culture assessment for licensees in Column 4 of the ROP Action Matrix).

Q3.1. What are the strengths and weaknesses of the current approach for evaluating licensee safety culture in the ROP?

Q3.2. How has the use of safety culture cross-cutting aspects that are assigned to inspection findings helped to identify potential safety culture issues? Suggest any alternative approaches that licensees could use to identify potential safety culture issues.

Q3.3. What may be better or more effective methods or tools that the NRC could use to help identify precursors to future plant performance deficiencies?

Q.3.4. In the following situations the NRC may/or will request a licensee to perform a safety culture assessment (licensee self-assessment, independent assessment, or a third-party assessment): (a) the same substantive cross-cutting issue had been identified in three consecutive assessment letters (generated from assessments conducted at 6 month intervals); (b) a 95002 inspection (Inspection for One Degraded Cornerstone or Any Three White Inputs in a Strategic Performance Area) that confirmed the licensee had not identified a safety culture component that either caused or significantly contributed to the risk-significant performance issue that resulted in the supplemental inspection; and (c) a plant enters Column 4 of the Action Matrix. Under what other situations should the NRC consider requesting that a licensee perform a safety culture assessment?

Another ROP enhancement was for the NRC to perform an independent safety culture assessment for plants that enter the multiple repetitive/degraded cornerstone column (column 4).

Q3.5. In what other circumstances might the NRC consider performing an independent safety culture assessment?

Q3.6. What other entity, other than the NRC, could perform an independent safety culture assessment or simply verify the results of the licensee's assessments and corrective actions?

Q3.7. What additional safety culture related ROP changes could help the NRC to improve the focus of NRC and licensee attention on site safety culture issues?
The NRC has held public meetings where draft changes to several ROP guidance documents resulting from a lessons learned evaluation of the initial implementation period of the ROP safety culture enhancements have been made available for public comment.

Q3.8 What areas beyond the draft changes (for example, a provision in Inspection Procedure 95003 for the NRC to be able to conduct a graded safety culture assessment) presented by the NRC have the potential to further enhance how the ROP addresses safety culture?

Q3.8.1. How would these potential changes enhance or improve how the NRC addresses safety culture through the ROP?

Q3.9. In what ways does the current process lead to consistency/predictability of implementation by the NRC? Provide examples to support your view.

Q3.9.1 In what ways does it lead to inconsistency or unpredictability?

Q3.10 How effective is the ROP in addressing security culture issues?

Q3.10.1. What ROP changes could help the NRC to improve the focus of NRC and licensee attention on site security culture issues?

In previous public meetings, the NRC has discussed using the ROP safety culture components and modified aspects as a tool to understand the challenges to safety culture during new reactor construction.

Q3.11. How can challenges to safety culture in new reactor construction be identified and addressed in regulatory oversight?