



T. Moser, Chairman
STARS Integrated Regulatory Affairs Group
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STARS-09002

February 13, 2009

Ms. June Cai
Concerns Resolution Branch, Office of Enforcement
Mail Stop O-4 A15A
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

**STRATEGIC TEAMING AND RESOURCE SHARING (STARS)
COMMENTS RELATING TO SAFETY CULTURE
POLICY STATEMENT DEVELOPMENT**

- Reference: 1) 74 FR 04260, Safety Culture Policy Statement Development: Public Meeting and request for Public Comments, dated January 23, 2009. NRC-2009-0013
2) 74 FR 05192, Safety Culture Policy Statement Development: Public Meeting and Request for Comments; Correction, dated January 29, 2009. NRC-2009-0013

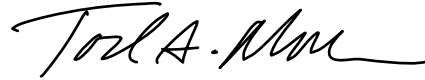
Dear Ms. Cai,

The Strategic Teaming and Resource Sharing (STARS)¹ alliance submits the enclosed comments in response to the referenced Federal Register notices soliciting comments on the Commission's development of a Safety Culture Policy. The STARS alliance applauds the Staff's evaluation and public outreach in this effort. As the comments generally reflect, STARS takes seriously the responsibility of the licensee in establishing and maintaining a strong nuclear safety culture. Further, STARS believes that the best approach is strong licensee ownership of the assessment and ownership of the resolution of any identified deficiencies.

¹ STARS consists of thirteen plants at seven stations operated by Luminant Power, AmerenUE, Wolf Creek Nuclear Operating Corporation, Pacific Gas and Electric Company, STP Nuclear Operating Company, Arizona Public Service Company, and Southern California Edison.

Thank you for your consideration of these comments. If there are any questions regarding these comments, please contact me at 573-676-4775, or tmoser@ameren.com.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Moser". The signature is fluid and cursive, with a long horizontal stroke at the end.

T. Moser, Chairman
STARS Integrated Regulatory Affairs Group

Enclosure: Safety Culture Policy Comments

The following comments are provided regarding the current implementation of the NRC's initiative on safety culture.

1. The policy statements for safety culture should not differentiate between organizations. STARS feels that the defined set of safety culture attributes are transferable across all organizations. Security has long been recognized as a key element to safe facility operation and radiation protection. The artificial creation of a distinction based on safety culture will likely induce unintended divisions. There should be one defined statement and policy.
2. For power reactors subject to the Reactor Oversight Process (ROP), the set of attributes defining nuclear safety culture should align with those developed by the Institute of Nuclear Power Operations (INPO). This set of attributes has well-established definitions, clear evaluation criteria, and comprehensive implementation guidance. Moreover, STARS feels that the INPO evaluations or independent safety assessments by third parties are more comprehensive and better at determining a station's safety culture performance. The NRC's use of different terminology and binning criteria, such as the assigned cross-cutting aspects, has created confusion and uncertainty in communications.
3. The STARS alliance encourages the NRC to consider other approaches, such as the Industry's Alternative Nuclear Safety Culture Approach. This approach emphasizes the licensee's responsibility for the identification of safety culture performance issues. This proposal makes clear that the burden for establishing and maintaining an appropriate safety culture rests with licensee management. This approach acknowledges two critical elements, that safety culture is a licensee responsibility and that it cannot be inspected or regulated into a station. The approach helps strengthen station ownership through the use of robust assessments such as the Utilities Service Alliance self-assessment and the station's ownership of issue resolution using its Corrective Action Program. We understand the NRC will remain engaged in safety culture but consideration of the approach described above emphasizes a licensee ownership of safety culture.
4. For power reactors the NRC assigns Substantive Cross Cutting Issues (SCCI) based on the number findings with particular cross-cutting aspects. These aspects are frequently assigned absent a full understanding of the cause(s) of the condition(s). As such, associated SSCIs may improperly characterize station performance weaknesses, resulting in the diversion of significant resources away from key performance issues, aggravating performance on those issues. If the process is to be continued, more rigor is needed in the assignment of cross-cutting aspects. Further, there is no defined appeal process for disagreements over the assignment of cross-cutting aspects. Such a process is necessary such that consensus on performance issues is achieved.

5. Absent changes to either the thresholds for assigning cross cutting aspects to findings or the threshold for issuing SCCIs, the Staff's proposed reduction in the number of cross-cutting component areas will effectively increase the number of SCCIs. This, in turn, will result in the diversion of licensee resources to these issues and away from more fundamental elements of performance. For example, currently under the Human Performance Area of Work Practices there are the Aspects of H.4 (a) for Error Prevention tools and H.4 (b) for Procedural Compliance. These are both high use aspects that are commonly assigned to findings. Under the new Safety Culture Component plan these are combined into the one aspect WP1 under the component of Work Practices. This will greatly increase the likelihood of reaching the number defining a cross cutting theme. This would result in an increase in the number of plants that require Regional Assessment of their actions to determine if a Substantive Cross Cutting Issue should be issued. If this change is implemented, then a change to increase the number that defines a common theme should be considered.

STARS appreciates the NRC's request for stakeholder input and would welcome further interaction with the NRC staff.