

STAKEHOLDER INVOLVEMENT

In the February 25, 2008, Staff Requirements Memorandum (SRM) for COMGBJ-08-0001, "A Commission Policy Statement on Safety Culture," the Commission directed the staff to review specific issues related to safety culture in consideration of the safety culture components of the reactor oversight process (ROP) and fuel facility pilot and their potential applicability to other U.S. Nuclear Regulatory Commission (NRC) licensees. This enclosure addresses the following specific SRM question for consideration: how stakeholder involvement can most effectively be used to address safety culture for all NRC and Agreement State licensees and certificate holders including any unique aspects of security.

Conclusion

The NRC provided the first opportunity for its stakeholders to provide input into the draft policy statement and to identify ways that the NRC could increase attention to safety culture for all NRC and Agreement State licensees and certificate holders including any unique aspects of security through *Federal Register* Notices (FRN) (74 FR 4260; January 23 and 74 FR 6433; February 9, 2009) and a public workshop held on February 3, 2009. As noted in Enclosure 3, the staff concluded it should provide additional opportunities for the public to be involved in developing the final policy statement and that it should publish the draft policy statement for public comment. These additional opportunities will help to inform the staff about how best to involve the NRC and Agreement States licensees and certificate holders to determine how stakeholder involvement can most effectively be used to address safety culture for all NRC and Agreement State licensees and certificate holders.

Engaging the Agreement States and other stakeholders on issues relating to the development of the final policy statement is an important step in achieving the Commission's objective of ensuring that the policy is applicable to all licensees and certificate holders. Therefore, it is important to continue to work with stakeholders as the Commission continues to develop its policy on safety culture so as to more fully encompass all licensees and certificate holders.

Review

The staff's initial public outreach efforts were directed towards (1) involving stakeholders in the development of the draft policy statement, (2) obtaining stakeholder views on the issues related to safety culture that the Commission has directed the staff to consider, and (3) increasing the awareness of safety culture and its importance to the safe and secure use of radioactive material as a first step towards encouraging licensees and certificate holders to increase the attention they pay to safety culture.

In the process of developing the draft safety culture policy statement and developing responses to the questions posed in the SRM, the staff sought to involve stakeholders. To obtain the views of a range of licensees, certificate holders, and other stakeholders, the staff sought public comments on a set of specific policy questions related to the questions in the SRM through FRNs that informed the public of the February 3, 2009, workshop and posting the questions on the NRC's public safety culture Web site (<http://www.nrc.gov/about-nrc/regulatory/enforcement/safety-culture.html>). In addition to the FRNs, the public workshop was publicized through invitations to email lists of various stakeholder groups, mentioning the public workshop at other meetings, and Office of Public Affairs news releases. The news releases were also translated into Spanish and distributed to multicultural media outlets.

Ten different organizations including licensees, State regulators, and non-governmental organizations participated in the workshop panels. The Organization of Agreement States (OAS) and the Conference of Radiation Control Program Directors (CRCPD) participated on the panels discussing (1) safety culture and security culture and (2) materials area considerations. Overall, approximately 160 individuals participated in person, through the Webinar, or by teleconference. As noted in Enclosure 2, by making the meeting available through the Webinar, a barrier to stakeholder participation in the workshop was lowered. This allowed greater participation by smaller licensees and certificate holders, State government representatives, and other stakeholders. Approximately 60 stakeholders participated via Webinar as did one of the workshop panelists.

In addition to the public workshop, the staff conducted other outreach activities to increase the attention to safety culture among licensees and certificate holders (as described in the section below on a summary of outreach and communication activities). These activities included discussing the topic (1) at conferences and other external meetings, (2) at NRC meetings (as appropriate) and NRC advisory committee meetings, and (3) in licensee newsletters. The staff plans to continue using these forums to increase the attention to safety culture during the development of the policy statement and when it issues a final policy statement.

Summary of Stakeholder Comments on How Stakeholder Involvement Can Most Effectively be Used to Address Safety Culture for All NRC and Agreement State Licensees and Certificate Holders

A commenter suggested that the NRC work with professional societies to include safety culture in their standards of practice. A commenter suggested that the NRC should reach out to the regulated community, specifically doctors and their employees, by focusing on education and public awareness; the same commenter suggested that the NRC consider developing certifications in areas related to safety culture (i.e., safety conscious awareness). Furthermore, a number of commenters identified the NRC's interactions with licensees as opportunities for the NRC to improve the attention that licensees give to maintaining a safety and security culture.

Commenters provided suggestions on how to effectively involve stakeholders in the development and implementation of the NRC's safety culture policy. The suggestions included NRC sponsored workshops across the country with various categories of licensees and certificate holders to share information on safety culture and security culture, best practices, and lessons-learned and to facilitate the ability of the regulated community to share information. Commenters also suggested that the NRC continue to coordinate with the Agreement States on the policy statement.

A comment from the Illinois Emergency Management Agency suggested that having regional meetings with materials licensees and other stakeholders would have better conveyed the importance that NRC gives to safety culture. They also indicated that the meetings should not focus on specific uses of materials and that previous meetings on safety culture for materials licensees appeared to only address fuel cycle licensees and did not address the bulk of licensees that need to be addressed.

The staff will continue to consider these and other stakeholder comments during further development of the safety culture policy statement.

Summary of Draft Safety Culture Policy Statement Outreach and Communication Activities

In developing the draft policy statement, the staff conducted a number of outreach activities, in addition to the February 3, 2009, public workshop to ensure that as many stakeholders as possible were aware of the staff's activities in this area, and also, to solicit their feedback. Stakeholder outreach included the following activities:

- The staff made presentations at the Institute of Nuclear Power Operations (INPO) Human Performance Workshop, the National Association of Employee Concerns Professionals meeting, and a significant and widely attended presentation at the 2009 NRC Regulatory Information Conference. The staff provided overviews of NRC safety culture activities including the development of the draft policy statement.
- The staff gave a presentation at the Test, Research, and Training Reactors Annual Meeting to present the status of the policy statement development activity. The audience included representatives from research reactor facilities from across the nation including from government, major universities, national laboratories, and the industry.
- The staff had many discussions at the monthly ROP meetings which were focused primarily on lessons learned during the 18-month initial implementation period of the ROP safety culture enhancements and the resultant changes to ROP guidance documents. The staff discussed the draft changes and the reasons for proposing them with the external stakeholders to solicit their questions and comments during safety culture-specific sessions (focused on Inspection Manual Chapters (IMC) 0305, "Operating Reactor Assessment Program" (Agencywide Documents Access and Management Systems (ADAMS) Accession No. ML090700528); IMC 0612, "Power Reactor Inspection Reports" (ADAMS Accession No. ML082270500); and Inspection Procedure 95003, "Supplementary Inspection for Repetitive Degraded Cornerstones, Multiple Degraded Cornerstones, Multiple Yellow Inputs or One Red Input" (ADAMS Accession No. ML080040267)).
- The staff provided presentations at the Corrective Action Program Owners Group meeting where the audience consisted of staff and managers who work in the corrective action program and/or the quality assurance area. Attendees were primarily from U.S. nuclear power plants but also included representatives from contractors, the Nuclear Energy Institute (NEI), INPO, and the Canadian nuclear regulatory agency and nuclear plants. Presentations included a summary of changes to ROP guidance documents related to safety culture.
- The staff made presentations at new reactor construction stakeholder meetings and at the workshop on Vendor Oversight for New Reactor Construction to discuss safety culture as part of the Construction Assessment Program indicating that more details would be provided in the future.
- The staff contacted the chairmen of several regional security manager associations (i.e., Region I Nuclear Security Association, Southeast Nuclear Security Association, Midwest Nuclear Security Association, and Western Nuclear Security Association) to discuss

issues involving safety culture and the unique aspects of security. This effort resulted in obtaining a panel member from one of these organizations for the public workshop.

- The staff briefed NEI representatives on integrating the nuclear materials safety and safeguards safety culture pilot into a new fuel cycle initiative. The staff informed the representatives that the Commission had emphasized that the policy statement should apply to all licensees and certificate holders, and thus, the staff plans to monitor the development of the policy statement to inform the fuel cycle safety culture effort.
- The staff sent invitations by email and made follow-up telephone calls to ensure that the safety culture policy statement public workshop was well publicized to as many stakeholders as possible including the fuel cycle licensees' e-mail lists; a significant holder of a certificate under Title 10 of the *Code of Federal Regulations* (10 CFR) Part 71, "Packaging and Transportation of Radioactive Materials;" NEI; and other contacts such as an attorney involved in spent fuel issues and a stakeholder involved in uranium enrichment activities. In addition, the staff invited potential panelists and publicized the workshop to stakeholders to encourage participation and the submission of comments.
- The staff participated in teleconferences with OAS and CRCPD, conducted separate phone calls with OAS and CRCPD board members, and offered to hold more detailed discussions on safety culture, the development of the policy statement, and the public workshop.
- The staff participated in the OAS annual meeting, a teleconference with the Advisory Committee on the Medical Uses of Isotopes, and outreach to regional State liaison officers to raise awareness of the development of the policy statement.
- The staff distributed information through available established mailing lists with audiences that included Agreement State Radiation Control Program Directors; Non-Agreement State Radiation Control Program Directors; Indian Tribes; uranium recovery stakeholders; and medical, irradiator, and manufacturing and distributor licensees to raise awareness of the development of a policy statement. The staff also provided information in the winter newsletter of the Federal and State Materials and Environmental Management Programs.