

December 17, 2009

Mark R. Shaffer, Director
Division of Intergovernmental Liaison & Rulemaking
Office of Federal and State Materials
and Environmental Management Programs
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

RE: A DRAFT SAFETY CULTURE POLICY STATEMENT AND NOTICE OF
U.S. NUCLEAR REGULATORY COMMISSION WORKSHOPS
(FSME-09-095)

The Illinois Emergency Management Agency, Division of Nuclear Safety (the Agency), hereby submits comments on the draft safety culture policy statement (FSME-09-095). The Agency supports the effort made by the NRC regarding fostering a positive safety culture. This document is a good reminder that both security and health and safety concerns must be incorporated into a comprehensive radiation protection program. Most of the concepts in this policy statement are already addressed to some degree in current rules and during inspections. We suggest NRC clarify what additional steps the Regions and the Agreement states need to take that are not already in place under current rulemaking and enforcement procedures. Training for licensees in safety culture characteristics are currently addressed under 10 CFR 19.12. Other aspects of this policy are covered by 10 CFR 20.1101 in radiation protection programs. Expansion of guidance and implementation procedures for this policy would improve effectiveness of the program. Our comments to your specific questions are as follows:

- (1) **The draft policy statement provides a description of areas important to safety culture, (i.e., safety culture characteristics). Are there any characteristics relevant to a particular type of licensee or certificate holder (if so, please specify which type) that do not appear to be addressed?**

Training programs must incorporate safety culture characteristics. Use of checklists or flow diagrams with safety/security checkpoints included can be invaluable for all operations.

- (2) **Are there safety culture characteristics as described in the draft policy statement that you believe do not contribute to safety culture and, therefore, should not be included?**

The proposals appear reasonable.



- (3) **Regarding the understanding of what the Commission means by a “positive safety culture,” would it help to include the safety culture characteristics in the Statement of Policy section in the policy statement?**

The most beneficial steps would be to stress this culture in guidance, training and radiation protection programs.

- (4) **The draft policy statement includes the following definition of safety culture: “Safety culture is that assembly of characteristics, attitudes, and behaviors in organizations and individuals which establishes that as an overriding priority, nuclear safety and security issues receive the attention warranted by their significance.” Does this definition need further clarification to be useful?**

Yes, safety culture should not only be an attitude but a part of the radiation protection and training programs. ‘Overriding’ may be too strong a term. Instead acknowledge the ‘safety culture’ as one of many competing ideals that should be balanced against each other (risk, cost, benefit, social impact, environmental impact, etc.) similar to the ALARA requirements.

- (5) **The draft policy statement states, “All licensees and certificate holders should consider and foster the safety culture characteristics (commensurate with the safety and security significance of activities and the nature and complexity of their organization and functions) in carrying out their day-to-day work activities and decisions.” Given the diversity among the licensees and certificate holders regulated by the NRC and the Agreement States, does this statement need further clarification?**

The statement is reasonable. Guidance on implementation and compliance for licensees should be more specific.

- (6) **How well does the draft safety culture policy statement enhance licensees’ and certificate holders’ understanding of the NRC’s expectations that they maintain a safety culture that includes issues related to security?**

The policy statement is clear enough in its ideals and the importance of the issue.

- (7) **In addition to issuing a safety culture policy statement, what might the NRC consider doing, or doing differently, to increase licensees' and certificate holders' attention to safety culture in the materials area?**

NRC must balance the risks from the use of radioactive material against other risks in the workplace and the public domain. Guidance/sample checklists for implementation should also be developed.

- (8) **How can the NRC better involve stakeholders to address safety culture, including security, for all NRC and Agreement State licensees and certificate holders?**

NRC can continue to address this topic at public meetings, in periodic information notices and in guidance documents.

The Agency appreciates the opportunity to comment on this important document. If you have any questions, please feel free to contact Mr. Vinson of my staff at (217) 785-9928 or via e-mail at Gibb.Vinson@Illinois.gov.

Sincerely,



Joseph G. Klinger,
Assistant Director

cc: Jim Lynch
U.S. NRC Region II