DEPARTMENT OF HEALTH SERVICES
F-82032 (09/08)

STATE OF WISCONSIN

FACSIMILE COVER MESSAGE

If you received this communication in error, notify us immediately by telephone and return the original message to us through the United States Postal Service to the address we will provide.

TO:

Name	Date Sent	Facsimile Telephone Number
RDB	2/26/10	(301) 492-3446

Location	Room Number	Telephone Number
NRC		

FROM (Sender)

Name	Number of Pages Including This Cover Sheet	Facsimile Telephone Number
Kurt Pedersen		(608) 267-3695
Location	4	Telephone Number
State of WI - DHS		(608) 267-4791

OPERATOR

☐ Destroy Originals

☐ Return Originals to Sender

11/06/09
74FR 57525 (18)

COMMENTS/INSTRUCTIONS

Comments to Draft Safety Culture Policy Statement.

THE FACSIMILE MACHINE COPIES ONLY ONE SIDE OF THE DOCUMENT.
Call sender (Telephone Number) if there is a problem with transmission.

RECEIVED
2010 MAR -1 PM 12: 10

RULES AND DIRECTIVES
BRANCH
USNRC

SUNSI Review Complete
Template = ADM-013

E-RIDS = ADM-03
Add = A. Sapountzis (as)

Jim Doyle
Governor

Kevin R Hayden
Secretary

DIVISION OF PUBLIC HEALTH

1 WEST WILSON STREET
P O BOX 2660
MADISON WI 53701-2659

608-267-4797
FAX 608-267-3695
dhfs.wisconsin.gov

State of Wisconsin

Department of Health and Family Services

February 26, 2010

Michael T. Lesar, Chief
Rulemaking and Directives Branch (RDB)
Office of Administration
Mail Stop: TWB-05-B01M
USNRC
Washington, DC 20555-0001

RE: Docket ID NRC-2009-0485

Dear Mr. Lesar:

The State of Wisconsin Department of Health Services - Radiation Protection Section has received and reviewed the above referenced document. We appreciate the opportunity to comment on the draft Safety Culture definition. We support the effort that the NRC is taking toward the development of a Policy Statement, in lieu of a regulation. We concur with the comments and statements made by the Organization of Agreement States Executive Board listed below.

(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?

One area that needs to be addressed, especially in the medical arena, is one of "supervision". Materials inspections often point to a lack of physical supervision by authorized users and the overall use of radioactive materials. Since there is no clear definition, enforcement of supervision is difficult. Another area that should be addressed is the incorporation of safety culture in training programs. If this can be included early in an entity's overall "culture", then it becomes easier to follow. Of course this assumes a top down approach, where management actually "practices what they preach."

(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?

There are many factors that are incorporated into a positive safety culture, that when absent, would adversely affect the overall safety culture of an entity. Therefore, there must be management commitment, including but not limited to resources, to support the program.

(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?

Yes, in addition it would make sense to include this in any guidance, training, and other areas of an entity's radiation protection program.

(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?

The definition needs to reflect the diverse areas that you are trying to address. The definition that was developed during the public workshop is a great starting point. The only clarification of that definition would be to come up with a term that would make it a high enough priority but not such that for the medical arena they would have to decide whether to save a life or not. In the end, one must balance all the competing ideals to determine what order they feel it deserves, similar to that of the ALARA principle.

(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-today 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?

Licensees and certificate holders should always consider and foster the characteristics of a safety culture. Maybe remove the word "consider" and include specific guidance on implementation and compliance for all to use.

(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 which is developed should be clear, concise and to the point. It needs to be kept simple so anyone can understand it and its implementation.

(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?

Simple checklists and guidance for implementation should be developed for entities, including regulators, to utilize, especially during audits or inspections. In addition, there must be added emphasis throughout the whole process associated with performance based licensing and inspection. This added emphasis will give licensees the message that safety culture is important.

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

The NRC must continue to involve stakeholder input early and often throughout any potential rulemaking and/or policy statement development. This will ensure that adequate information has been sought before proposing any item that may affect entities. In closing WI - DHS supports the development of a policy statement on defining safety culture. By doing this it will not be a matter of compatibility for the States. We look forward to continuing our participation in the process and we firmly believe that early and substantive involvement of the Agreement States is desirable and will only serve to improve the final product. Thank you for allowing us to comment on this proposed policy statement and again we look forward to continued participation in future NRC initiatives.

Sincerely,

Kurt Pedersen
Nuclear Engineer
Radiation Protection Section