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February 24, 2010

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11/06/09  
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Mr. Michael T. Lesar, Chief  
Rulemaking and Directives Branch (RDB)  
Division of Administrative Services, Office of Administration  
Mail Stop: TWB-05-B01M  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Re: Federal Register Notice - Nuclear Regulatory Commission: [NRC-2009-0485] Draft  
Safety Culture Policy Statement: Request for Public Comments

Dear Mr. Lesar:

The South Carolina Department of Health & Environmental Control's Division of  
Waste Management has reviewed the referenced submittal and has enclosed with this  
letter an attachment containing our responses to "Questions for Which NRC Is Seeking  
Input".

Thank you for the opportunity to provide input. Should you have any questions regarding  
our responses, please feel free to contact Ms. Susan Jenkins at (803) 896-4271.

Sincerely,

Richard A. Haynes, P.E., Director  
Division of Waste Management  
Bureau of Land & Waste Management

MAY/FSME-09-095.RESP.0210

Enclosure

SOUSI Review Complete  
Template = ADM-013

FRIDS = ADM-03  
Call = A. Sapountzis (aps)

**NRC-2009-0485 "Draft Safety Culture Policy Statement": Request for Public Comments**

**1. The Draft policy statement provides a description of areas important to safety culture. Are there any characteristics relevant to a particular type of licensee or certificate holder that do not appear to be addressed?**

Complacency – Routine operations allow for complacency to develop. Repetitive processes lead to lack of attention to procedure and slowly degrade the level of safety and security. Example #1: Radiography – The actual process of taking many images in a short or prescribed time can lead to potential oversight of procedure and lead to both Safety and Security issues such as over exposures and loss of control of licensed material. Example #2: Fuel Cycle Facility – Long term successful operation of such a facility, without incident, can lead to complacency by both licensee and regulator when a series of small events contrary to a culture of safety occur. The gravity of the collective events may be minimized if no significant measures are mandated by either party to assure a shift back to attention commensurate to the safety significance of the activity licensed.

**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?**

No, the current policy statement is adequate.

**3. Understanding 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

**4. "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 words "corporate management" could precede "organizations" in the definition to further emphasize the need for full engagement of the most important element in a licensee's ability to implement and/or improve safety culture.

**5. "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?**

No

**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?**

It does well. The link established between Safety and Security, as explained, serves essentially the same purpose, to maintain control of licensed material and minimize inadvertent or intentional exposures to workers, the public and environment.

**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?**

Revise inspection procedures and guidance to strongly encourage private interviews with representatives of each level of licensee/certificate holder organizational structure to assess that a culture of safety is in place and open communication about areas requiring improvement and/or attention are addressed in a timely manner.

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

Transparency during licensing processes is critical unless it would compromise security of licensed material. Active engagement with the public and particularly media outlets, through Public Information Coordinators, is essential as well to assure accurate depiction or description of concerns related to safety culture issues.