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Re: DOCKET ID# NRC-2010-⁰²⁸² Fax:

Date: 10-18-10

- Urgent For Review Please Comment Please Reply Please Recycle

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75 FR 57081
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RS-10-181

October 18, 2010

Ms. Cindy K. Blady
Chief, Rules, Announcements, and Directives Branch (RADB)
Division of Administrative Services
Office of Administration
Mail Stop TWB-05-B01M
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Subject: Docket ID NRC-2010-0282; Comments on Revised Draft Safety Culture Policy Statement

Reference: Letter from T. C. Houghton (Nuclear Energy Institute) to C. K. Blady (U. S. NRC), "Revised Draft Safety culture Policy Statement: Request for Comments" dated October 18, 2010

The U. S. Nuclear Regulatory Commission (NRC) recently issued a revised draft Safety Culture Policy Statement in the Federal Register on September 17, 2010 (75 FR 57081). The revised policy statement focuses on the interface of nuclear safety in a positive safety culture, and highlights the Commission's expectation that all licensees establish and maintain a positive safety culture when carrying out licensed activities. The Federal Register notice requested comments to the revised policy statement be submitted in writing by October 18, 2010. Exelon Generation Company, LLC (EGC) has reviewed the revised Safety Culture Policy Statement and is providing the enclosed responses to the five questions posed in the Federal Register Notice.

EGC agrees with the policy statement's recognition that the nuclear industry bears the primary responsibility for establishing and maintaining a positive safety culture. To this end, we believe that culture is not an appropriate subject for rulemaking and that a policy statement is the most appropriate and effective regulatory action for the NRC. EGC will remain engaged with the NRC and the industry as we continue to develop a common safety culture language that is agreed upon and understood by all stakeholders.

If you have any questions concerning this letter, please contact me at (630) 657-2811.

Respectfully,



Darin M. Benyak
Director – Licensing and Regulatory Affairs
Exelon Generation Company, LLC

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1. The revised definition of Nuclear Safety Culture is: "Nuclear Safety Culture is the core values and behaviors resulting from a collective commitment by leaders and individuals to emphasize safety over competing goals to ensure protection of people and the environment." Should this be retained, as currently written, or should it be revised?

EGC recommends that the definition of Nuclear Safety Culture be retained as currently written. This revised definition provides a clear description of safety culture and is consistent with EGC's experience.

2. Does including the safety culture traits in the SOP itself clarify your understanding of what the Commission means by a positive safety culture? If not, what additional guidance do you think is needed?

Inclusion of the traits in the SOP does clarify the understanding of what a positive safety culture means. As EGC works with the NRC and the industry to further develop a common safety culture language, we anticipate that additional industry or segment specific terms and language will be developed.

3. Does the revised draft SOP provide a clear statement of the NRC's expectations that the regulated community should maintain a safety culture that includes balanced consideration of safety and security? If not, what changes or additions should be made?

The SOP is very clear in communicating the expectation that safety culture involves consideration of both safety and security. It is our opinion that the SOP overemphasizes the inclusion and role of security in maintaining a positive safety culture. As an organization's safety culture is a function of many inputs, we support not including or singling out security in the definition and traits.

4. Should a discussion regarding complacency be added to the SOP and/ or to the traits that describe areas important to safety?

Complacency should not be added to the SOP or the traits. Complacency can effectively be addressed in the development of segment specific "third tier" common language.

5. In late August 2010, the Institute of Nuclear Power Operations (INPO) completed a validation study to assess the extent to which the factors that emerged from analyzing responses to a safety culture survey match the traits that were identified during the February 2010 workshop. Only individuals working at nuclear reactors participated in the survey. The study provides general support for the traits developed at the workshop; however, the study provides a slightly different grouping. Under the validation study, there are nine traits: (1) Management Responsibility/ Commitment to Safety; (2) Willingness to Raise Concerns; (3) Decision-making; (4) Supervisor Responsibility for Safety; (5) Questioning attitude; (6) Safety Communication; (7) Personal Responsibility for Safety; (8) Prioritizing Safety; and (9) Training Quality. Four of these are consistent with the eight traits developed by the workshop participants, i.e., Management Responsibility is consistent with Leadership Safety Values and Actions; Willingness to Raise Concerns relates to Environment for Raising Concerns; Safety Communication relates to Effective Safety Communication; and Personal Responsibility for Safety is consistent with Personal Accountability. The remaining five traits

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identified in the study, i.e., Decision-making, Supervisor Responsibility for Safety, Questioning Attitude, Prioritizing Safety, and Training Quality, are not as closely related (although they are not completely dissimilar). This is new information. The NRC is seeking stakeholder comments on this information through the FRN and through the public meeting scheduled for September 28 in Las Vegas.

EGC recommends that the list of traits identified in the February 2010 stakeholder meeting be retained as documented in the SOP. Through the development of the segment specific "third tier" common language, the NRC and industry should consider the insights and learnings gained from the INPO validation study.