

From: Hon, Andrew
Sent: Thursday, April 9, 2020 11:06 AM
To: Billie Garde
Cc: sshpherd@cliffordgarde.com
Subject: Initial Assessment Result of the 2.206 Petition Regarding TVA Employee Concern Program Changes

Ms. Garde,

The Petition Review Board (PRB) has evaluated the petition you submitted June 4 and 10, 2019, pursuant to 10 CFR 2.206 regarding changes to TVA's employee concerns program (ECP). The PRB assessed whether the petition meets the acceptance criteria in NRC's Management Directive 8.11, "Review Process for 10 CFR 2.206 Petitions." From the description in the petition, the PRB's understanding is that your concerns with TVA's proposed changes to its ECP involve the potential impact to TVA's safety conscious work environment (SCWE) and employees' willingness to raise concerns at TVA facilities. The PRB's initial assessment is that the petition does not meet the criteria in MD 8.11 Section III.C.1(b) to be accepted for review, because the issues raised in the petition have been "the subject of a facility-specific or generic NRC staff review" and none of the circumstances in Section III.C.1(b)(ii) apply.

The NRC Staff has and continues to evaluate SCWE at NRC-regulated facilities. More specifically, since the changes to TVA's ECP described in your petition, the NRC Staff has completed SCWE inspections at the Sequoyah Nuclear Plant (SQN), the Watts Bar Nuclear Plant (WBN), and the Browns Ferry Nuclear Plant. Specifically, on June 27, 2019, October 24, 2019, and December 12, 2019, the NRC, Region II, completed SCWE follow-up inspections at SQN (ML19204A190), WBN (ML19357A240), and BFN (ML20017A088). The purpose of these inspections was to assess whether TVA had met the criteria for closing a "Chilling Effect Letter" that the NRC had issued to TVA on March 23, 2016, based on identification of certain cross cutting SCWE concerns. Specifically, the inspection at WBN indicated that TVA actions including site management changes, ECP changes, SCWE training, independent safety culture assessments, and new sitewide programs (nuclear safety culture monitoring panel, employee issue tracking matrix, and ECP pulsing, etc.), continue to improve the SCWE at WBN and have been effective in addressing the underlying issues that led to the issuance of the Chilling Effect Letter. Accordingly, this inspection did not identify adverse effects of changes to TVA's ECP that warrant regulatory actions .

In accordance with MD 8.11, we wish to offer you the opportunity to clarify or supplement the petition in a public meeting with the PRB. If accepted, the meeting with the PRB would be conducted consistent with the format described in MD 8.11 Section III.F (in part - you may provide any relevant additional explanation and support for your request either in person or via another agreed-upon arrangement). The PRB will consider your statements made at the meeting or teleconference, along with the original petition, in making its final recommendation on whether to accept the petition according to the criteria in MD 8.11, Section III.C.1.

Please indicate by April 17, 2020, whether you wish to have this public meeting with the PRB before we close this petition.

Thank you.

Andy Hon, Petition Manager

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