

From: Fults, Deanna L <dlfults@tva.gov>
Sent: Thursday, May 23, 2019 1:26 PM
To: Luina, Scott
Subject: [External_Sender] FW: Special Pulsing Summary Rev 4.pdf
Attachments: Special Pulsing Summary Rev 4.pdf

Sensitivity: Confidential

Provided per your request.

Deanna L. Fults
Senior Program Manager
Nuclear Employee Concerns Program

Tennessee Valley Authority
1101 Market Street
Chattanooga, TN 37402

423-751-3084 (w)
423-305-2530 (m)
dlfults@tva.gov

From: Hagins-Dyer, Inza E
Sent: Thursday, July 12, 2018 3:05 PM
To: Fults, Deanna L
Subject: FW: Special Pulsing Summary Rev 4.pdf
Sensitivity: Confidential

FYI – I will call you about this when we get off.

Inza Hagins-Dyer, JD
Senior Manager, Nuclear Employee Concerns Program
1101 Market Street, 6th Floor Signal Place
Chattanooga, TN 37402
(423) 751-8989 - office / (423)309-1194 mobile

From: Shea, Joseph W
Sent: Thursday, July 12, 2018 3:00 PM
To: Hagins-Dyer, Inza E <iehaginsdyer@tva.gov>
Cc: Czufin, David Miller <dmczufin@tva.gov>; Boerschig, Gregory A <gaboerschig@tva.gov>
Subject: FW: Special Pulsing Summary Rev 4.pdf
Sensitivity: Confidential

Inza,

I continue to question your population numbers. You say “The special pulsing was provided electronically to all 16 members of the Licensing Organizations at WBN, SQN, BFN and Corporate. There was 100% participation.” There are 12 TVA members in COC alone (excluding Carla, Tony Brown who was not on board and Don Lewis – a contractor who I don’t know if you pulsed.) The Licensing groups at WBN, SQN and BFN have 4,5 and 8 members respectively. For your statement that you electronically pulsed “all” of the Licensing organizations to be accurate, your total number would have to be closer 29 or 30.

You and I discussed the value of accuracy and precision in all investigatory matters in my office. My understanding of what actually occurred was that the COC staff and just the Site Licensing Managers were pulsed. Regardless of what actually occurred, your statement and the numbers of Licensing employees in the four locations you refer to don’t add up and should consider sorting that out and explaining it. This is clearly not quibbling as we discussed in my office insofar as you make direct reference to presumed NRC thresholds for declaring a “chilled work” environment in which case the numbers actually matter.

As we also discussed, the imprecision and variation in your reference to positions, organizations and individuals is not of particular assistance. If a concern regards the receptivity of “Corporate Licensing” to issues being raised, “Corporate Licensing” may refer to the entire 12 person Governance and Oversight organization in COC (which would be one type of concern). Or it may refer to the COC Regulatory Leadership team (5 individuals) which would be a different type of problem. Or it may be a slang reference to the Director or VP or both. Which is a different problem – and what I believe you were trying to actually state.

A couple of editorials: (1) I don’t know who the “Manager of Regional Compliance” is. I suspect you meant the “Manager of Regulatory Compliance.” (2) The Sr Manager, Regulatory Affairs is the Director of Regulatory Affairs.

I acknowledge that your next step is to discuss this with David. He and I will discuss next steps subsequent to your discussion with him.

Joe

From: Hagins-Dyer, Inza E
Sent: Thursday, July 12, 2018 12:43 PM
To: Shea, Joseph W
Subject: Special Pulsing Summary Rev 4.pdf
Sensitivity: Confidential

Joe,

Per our discussion I have corrected this report to change the use of Corporate Nuclear Licensing (CNL) to Regulatory Affairs and Support Services (NRASS).

I made few other editorial changes and added some additional recommendations.

Please review and let me know of additional comments. I plan to schedule a time to discuss this with Mr. Czufin in the next few days.

Inza

Inza Hagins-Dyer, JD
Senior Manager, Nuclear Employee Concerns Program
1101 Market Street, 6th Floor Signal Place
Chattanooga, TN 37402
(423) 751-8989 - office / (423)309-1194 mobile

Hearing Identifier: JShea_IA_NonPublic
Email Number: 1056

Mail Envelope Properties (ad00e64caee047c683b43a58126094c0)

Subject: [External_Sender] FW: Special Pulsing Summary Rev 4.pdf
Sent Date: 5/23/2019 1:26:08 PM
Received Date: 5/23/2019 1:26:26 PM
From: Fults, Deanna L

Created By: dlfults@tva.gov

Recipients:
"Luina, Scott" <Scott.Luina@nrc.gov>
Tracking Status: None

Post Office: tva.gov

Files	Size	Date & Time
MESSAGE	4029	5/23/2019 1:26:26 PM
Special Pulsing Summary Rev 4.pdf		101053

Options
Priority: Normal
Return Notification: No
Reply Requested: No
Sensitivity: Confidential
Expiration Date:

TVA Confidential Information

Special Pulsing Summary

July 12, 2018

Background

TVA's Vice President of Nuclear Regulatory Affairs and Support Services (NRASS VP) contacted the Employee Concerns Program (ECP) and communicated that a site Licensing employee had raised concerns that there is a reluctance among site and NRASS employees to express differing views and concerns to or about NRASS using the Corrective Action Program (CAP). It should be noted that site Licensing employees report to their respective nuclear plant sites, while the NRASS employees report to the office of Nuclear Regulatory Affairs and Support Services.

As a result of the contact ECP conducted a special pulsing to evaluate the environment for raising concerns. Specifically the pulsing focused on the level of comfort that Licensing site and NRASS locations have for using CAP to raise concerns and express differing views.

It should be noted that this pulsing is described as "special" because it varies from the established pulsing survey used by ECP to assess the Safety Conscious Work Environment (SCWE). Whereas the typical survey contains between 11 and 13 questions to examine various aspects of the work environment, the pulsing used in this instance contained only four questions. These questions were narrowly focused on the issue that was brought to the attention of the VP.

It should be noted that ECP has handled two prior concerns raised about the work environment in Licensing, most of which center around conflict between a particular site Licensing employee and NRASS Management. ECP partially substantiated one concern about retaliation and issued a Requirement to Act Letter. (NEC-17-00683 -July 24, 2017), ECP did not substantiate one other similar concern filed by the same individual (NEC-17-00410 April 17, 2017). In 2017 the Licensing work environment was also examined by the NRC, with no findings of a chilled work environment.

Prior to the pulsing, an interview was conducted with the NRASS Manager of Regional Compliance to whom the concern was originally voiced. This interview revealed that the employee did not raise the issue because of concern about any current action on the part of NRASS. Instead the issue is reiteration of past concerns that NRASS does not always support an environment conducive for differing opinions, particularly about NRASS's decision making.

Despite the fact that these issues have been raised in the past, ECP adheres to the practice of receiving each concern on its own merit and evaluating the facts currently presented. It should also be noted that the Sr. Manager of Regulatory Affairs has expressed concern that the repeated accusations by the site Licensing employee has created a hostile work environment. NRASS management is addressing the Sr. Manager's concern in separate proceedings. To ensure independence and objectivity ECP has no role in those proceedings and has not reviewed the results or findings.

Pulsing Responses

The questions and responses are as follows:

1. I would use the Corrective Action Program to raise Nuclear Safety or Quality concerns.
Response: 87.5% - yes 12.5% - no
2. I would use the Corrective Action Program to raise concerns not related to Nuclear Safety or Quality.
Response: 68.8% - yes 18.8% maybe 12.5% - no
3. I would use the Corrective Action Program to raise concerns related to actions or decisions made by Corporate Licensing.
Response: 43.8% - maybe 37.5% - yes 18.8% - no
4. I can raise issues about actions or decisions made by Corporate Licensing without fear of retaliation.
Response: 50% - yes 38% - no 13% - maybe

The special pulsing was provided electronically to all 16 members of the Licensing organizations at WBN, SQN, BFN and Corporate. There was 100% participation. Six participants opted not to reveal their location.

Summary of Comments

- One comment suggested that there may be a preference for having face to face discussions as opposed to using CAP for issues that are not related to Nuclear Safety or Quality. This could be considered an indication that employees are comfortable speaking their concerns or differing opinions directly to management.
- Another comment indicated that all management encourages and supports the use of CAP.
- Two comments indicated a distrust for Corporate Management's receptivity differing views.

Conclusion

Overall it appears that the majority of respondents would use CAP to report Nuclear Safety or Quality concerns. However the number of respondents willing to use CAP to report other types of issues is slightly below 70%. Separate comments suggest both positive and negative reasons for the result. As noted above at least one commenter refers to the use of face to face discussions as the preferred method to raise issues. Two other comments indicate that NRASS is not always receptive to feedback.

With regard to raising issues about decisions made by NRASS without fear of retaliation, 50% responded that they felt that they could do so. However 38% answered that they could not and 13% stated

“maybe”. Thus while it clear that nuclear and safety concerns would be raised using CAP, there exists the perception that NRASS’s environment for raising other issues including those related to decision making, may be met with retaliation.

In recent evaluations at TVA, the NRC has concluded that a chilled effect or chilled environment exists when 20% or more of employees questioned, respond that they cannot raise safety issues without fear of retaliation. In this case, the question was not specifically focused on raising safety issues, but about questioning decisions that have been made by NRASS.

The conclusion from the special pulsing is that half of the survey participants feel that they cannot question decision making made by NRASS without fear of retaliation. Though the survey does not focus on whether this fear extends to raising safety issues, it is concluded that the fear of raising other issues could be a precursor to raising safety issues.

The survey does not distinguish between answers provided by NRASS employees and those provided by site Licensing employees. This distinction is significant to the extent that those who are organizationally aligned (i.e. reporting to) NRASS may have more reason to fear retaliation. Those who are not within the chain of command may have less reason to have this fear. In any case, the following recommendations should be considered to address both groups and to ensure that the environment does not degrade into one where there is a fear of raising Nuclear Safety or Quality issues.

Recommendation

NRASS should develop a plan to ensure that the environment is conducive for raising concerns and differing opinions. Actions may include:

- Communicate the conclusions of this pulsing
- Conduct focus groups to gain better understanding of the responses
- Clearly communicating support for raising concerns and differing opinions
- Developing methods to provide positive recognition for those who raise concerns and differing opinions using CAP
- Developing processes to encourage free flow of information and challenge to decisions made in NRASS
- Conducting follow up pulsings to assess the health of SCWE to include site Licensing employees and NRASS employees