

From: JSheaIA-Hearing Resource
Sent: Saturday, February 13, 2021 11:09 AM
To: JSheaIA-HearingNPEM Resource
Subject: FW: Additional Info -Fwd: Nuclear Safety Culture Survey

From: Michael McBrearty < >
Sent: Friday, September 14, 2018 1:31 PM
To: Checkle, Melanie <Melanie.Checkle@nrc.gov>
Cc: Luina, Scott <Scott.Luina@nrc.gov>
Subject: [External_Sender] Additional Info -Fwd: Nuclear Safety Culture Survey

Melanie,

I want to bring to the NRC's attention one other issue that, while likely not rising to the level of a violation, contributed to my poor standing with the TVA/NPG Corporate executives, and which reflects on TVA Corporate Executives minimalist approach to addressing safety culture issues. The NRC may want to consider the issue when they conduct Chilling Effect Letter (CEL) and Confirmatory Order status and close out inspections.

After TVA received the 2017 Confirmatory Order (CO), I was designated to be the Sequoyah management lead for the on-site Nuclear Safety Culture Survey required by the CO. During an initial kickoff telecon with Oak Ridge Associated Universities (ORAU) in October 2017, ORAU asked me if I wanted Sequoyah site contract workforce included in the survey. I replied, "yes," but was immediately told by TVA Corporate personnel that the TVA Corporate Executives (CNO and Senior VP level) directed that contractors NOT be included in the surveys for any of the three TVA Nuclear sites or for the corporate office.

Per the email string below, I persistently challenged TVA Corporate regarding their decision to exclude contract personnel. I was initially told that Corporate did not feel it was worth the extra financial cost since the contract companies did their own safety culture surveys (I believe the contractors usually do periodic pulsing type surveys). I then asked ORAU how much extra costs would be incurred if we added contractors, and my recollection is that ORAU indicated it would be about an additional \$10,000, which in my opinion did not justify excluding contractors.

I continued to express my concern with excluding contractors, and heard anecdotal discussion that the TVA Corporate Executives did not want contractors included in the surveys because of concern that the contractor responses would reflect negatively on the TVA Safety culture, and it could thus require additional costly corrective actions by TVA, and it could delay closing the CEL and the CO.

Debra Babylon from Sequoyah worked with me in coordinating the survey with ORAU, and I believe she could corroborate the above info.

I also raised my concern to the Corporate Regulatory Affairs CFAM, Jim Polickoski. Jim said he discussed my concern with Joe Shea (Vice President Of Nuclear Regulatory Affairs) but that he never received any follow up from Joe.

Please do not hesitate to contact me if you have any questions.

Best Regards,

Michael McBrearty

Sent from my iPhone

Begin forwarded message:

From: "McBrearty, Michael" <>
Date: August 15, 2018 at 4:24:24 PM PDT
To: "" <>
Subject: FW: Nuclear Safety Culture Survey

Michael McBrearty
Manager, SQN Site Licensing
Office 423-843-7170
Cell 858-945-0073

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From: DiGiovanna, Paul Anthony
Sent: Tuesday, November 21, 2017 10:04 AM
To: McBrearty, Michael
Subject: RE: Nuclear Safety Culture Survey

I agree with your concern. What does 1.7.3 say about this (We have a process!)

From: McBrearty, Michael
Sent: Tuesday, November 21, 2017 9:56 AM
To: DiGiovanna, Paul Anthony
Subject: Re: Nuclear Safety Culture Survey

Paul,

I was told WBN did not include contractors at direction of COC/NPG, and that BFN and SQN should not include contractors. It's not what I'm used to seeing, and I believe there

is regulatory risk when we get inspected in the future, especially given the nature/reason for the Confirmatory Order.

Mike

Sent from my iPhone

On Nov 21, 2017, at 9:34 AM, DiGiovanna, Paul Anthony <pdigiovanna@tva.gov> wrote:

Mike, has there been any follow-up on this? Did we include contractors at WBN?

From: McBrearty, Michael
Sent: Wednesday, November 15, 2017 9:50 PM
To: Meade, Melissa A
Cc: Polickoski, James Thomas; DiGiovanna, Paul Anthony; Conner, Teri M; Bethay, Stephen Joseph; Arent, Gordon
Subject: Nuclear Safety Culture Survey

Melissa,

I just wanted to follow up with you regarding our discussion yesterday on whether the nuclear safety culture survey population should exclude contractors. The requirement from the Confirmatory Order is provided below and requires that we perform the safety culture assessment "consistent with industry practices." By excluding contractors, we may be an outlier from normal industry practices with regard to safety culture surveys, and we may be significantly challenged to demonstrate compliance with the order when the NRC eventually conducts their inspections.

I spoke with ORAU today and they indicated their typical practice has been to include contractors, but they said there are some cases where contractors were excluded. In talking with TVA individuals involved with past TVA nuclear safety culture surveys, they indicated contractors were included (I'm fairly sure the most recent Synergy Survey in 2014-2015 timeframe included contractors). My experience at my former plant was that contractors were always included (we performed Synergy Safety Culture Surveys every two years starting in the early 1990's). My experience interacting with the NRC, especially their program office management that deal specifically with CWEL's and safety culture issues, is that NRC feel it is extremely important to include the site contract workforce as they represent a significant portion of the site population, and in many cases, are the individuals touching plant equipment.

I believe it is very important to solicit feedback from the site contract population as part of the survey. The violation that the NRC was

prepared to issue was in large part based on our failure to implement the AEA process for contractors, and is described so throughout the 2017 CO and in the required corrective actions. The current 2017 Confirmatory Order is for failing to comply with the 2009 Confirmatory Order, and I am concerned that failing to include contractors in the safety culture survey creates significant regulatory exposure with demonstrating compliance with the current Confirmatory Order (it's difficult to justify excluding contractors).

If we are going to exclude contractors, I think it would be very beneficial to solicit input from Pillsbury Law, John McCann, and Marty Virgillio, since they are our external independent reviewers for compliance with the Confirmatory Order.

Mike

Excerpt from the CO

Environment

1) An independent nuclear safety culture (NSC) assessment, **consistent with industry practices**, shall be conducted at WBN in 2017. Within one year of issuance of the CC, TVA shall perform an independent NSC assessment **consistent with industry practices**, at Browns Ferry Nuclear Plant, Sequoyah Nuclear Plant and Corporate Nuclear. One additional independent NSC assessment shall be performed at each site, within approximately two years of the first assessment at that site. TVA shall compare the result of the assessment with prior years' survey results in an effort to identify trends. TVA shall evaluate the results and develop, implement, and track to completion corrective actions to address weaknesses identified through the assessments. TVA shall make the results of each survey and the planned corrective actions available for NRC review after the development of the planned corrective actions.

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