



L-2023-087
June 29, 2023

Mr. Russell N. Felts
Director, Division of Reactor Oversight
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

RE: Results of the Safety Culture Program Effectiveness Review, March 20, 2023 (ADAMS Accession No. ML22340A452)

Dear Mr. Felts,

Florida Power & Light Company on behalf of itself and as agent for NextEra Energy Seabrook, LLC and NextEra Energy Point Beach, LLC (collectively "NEE") applauds the staff's recent safety culture program effectiveness review and supports the periodic review and self-assessments of regulatory oversight programs. However, NEE believes that numerous effective and robust means already exist to assess and oversee nuclear safety culture which identify and correct weaknesses before significant performance degradation occurs. The nuclear industry has a strong safety performance record which is indicative of both the industry and the NRC's safety culture monitoring efforts. Accordingly, NEE offers the following comments on the review recommendations:

Recommendation 1:

Inspection Manual Chapter (IMC) 0305, "Operating Reactor Assessment Program," and Inspection Procedure (IP) 95001, "Supplemental Inspection Response to Action Matrix Column 2 (Regulatory Response) Inputs," should be updated to allow for an independent NRC evaluation of safety culture for Column 2 plants if the circumstances warrant. This would not necessarily constitute requiring the licensees to perform an independent third-party safety culture assessment. It would provide for independent NRC consideration of the need for sampling and assessing safety culture.

NEE comment:

The recommendation derives from the assertion that safety culture oversight has been only partially effective until such time that licensee performance declines into a more consequential ROP Action matrix column, and that an additional Column 2 evaluation using trained safety culture assessors would hasten the recognition of safety culture performance deficiencies. In contrast, NEE believes existing licensee training programs, employee concerns programs, corrective action programs, management review committees, inspection preparedness, resident drop-ins, and the host of other programs and practices engrained in all aspects of safety culture assure adverse trends are identified and mitigated. This is evidenced by the reduction in Column 2 or higher driven inspections from an industry average approaching 25 annually prior to the 2015 ROP revision to approximately three annually since 2020. NEE believes the proposed independent safety culture assessment would not bring the Commission any closer to realizing stated safety culture objectives and more likely risks the undesired consequence of diverting licensee resources from more immediate priorities associated with safe, reliable operation. Thereby, NEE does not agree with the proposed Column 2 safety culture evaluation recommendation.

Recommendation 2:

Improve the training available to inspectors to better meet Commission objectives stated in SRM-SECY-04-0111. (Note that steps are already in process that will support this recommendation, as NRR has a User Need open with RES to enhance training on safety culture based on review of ongoing inspector feedback and projected workload needs.)

NEE comment

NEE recognizes training as an effective tool to maintain and increase proficiency, and thereby has no comment on this recommendation.

Recommendation 3:

IP 93100, "Safety-Conscious Work Environment Issue of Concern Follow-up," should be revised to provide the NRC with a tool for following up on safety culture concerns before licensees are assessed in Column 3. Recommendation 3 includes the following:

1. *Revise IP 71152, "Problem Identification and Resolution (PI&R)," to include a qualified safety culture assessor on the team if warranted.*
2. *Adjust inspection framework to allow for safety culture assessments when indicated per IP 93100 by modifying to include qualified safety culture assessor in*
 - *IMC 2515, Appx. C "Special and Infrequently Performed Inspections*
 - *IP 93800, "Augmented Inspection Team," and*
 - *IP 93812, "Special Inspection,"*
3. *Include safety culture assessment in baseline inspection program*
 - *Requires 4 to 5 additional inspector resources*
 - *SRM-SECY-04-0111 decided against adding to baseline inspections, but cross-cutting issues program has not met stated safety culture objectives.*
 - *Alternatively, revise quarterly ROP reviews to include safety culture discussions. Would encourage licensee action before significant degradation occurs.*

NEE comment

NEE's response to the proposed Column 2 inspection changes are addressed in the response to Recommendation #1. However, NEE believes the addition of a safety culture assessment involving 4 to 5 additional inspectors to licensee baseline inspections in the absence of a specific safety culture performance concern is unnecessarily burdensome and penalizing. The assignment of cross-cutting aspects to inspection findings under the ROP framework and the graded approach to regulatory oversight has proven effective in identifying safety culture weaknesses and prompting timely and appropriate corrective actions. Thereby, NEE does not support the proposed baseline inspection safety culture evaluation recommendation.

Should you have any questions regarding this submission, please contact Mr. Kenneth Mack, Fleet Licensing Manager, at 561-904-3635.

I declare under penalty of perjury that the foregoing is true and correct.

Sincerely,



Dianne Strand
General Manager, Regulatory Affairs
Florida Power & Light Company