



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION III
2443 WARRENVILLE ROAD, SUITE 210
LISLE, ILLINOIS 60532-4352

March 8, 2024

Peter Dietrich
Senior VP and Chief Nuclear Officer
DTE Electric Company
Fermi 2 – 260 TAC
6400 North Dixie Highway
Newport, MI 48166

SUBJECT: FERMI POWER PLANT, UNIT 2 – SAFETY CONSCIOUS WORK
ENVIRONMENT ISSUE OF CONCERN FOLLOW-UP INSPECTION REPORT
05000341/2024011

Dear Peter Dietrich:

On January 31, 2024, the U.S. Nuclear Regulatory Commission (NRC) completed an inspection at Fermi Power Plant, Unit 2 and discussed the results of this inspection with you and other members of your staff. The results of this inspection are documented in the enclosed report.

No findings or violations of more than minor significance were identified during this inspection.

This letter, its enclosure, and your response (if any) will be made available for public inspection and copying at <http://www.nrc.gov/reading-rm/adams.html> and at the NRC Public Document Room in accordance with Title 10 of the *Code of Federal Regulations* 2.390, "Public Inspections, Exemptions, Requests for Withholding."

Sincerely,

A handwritten signature in cursive script that reads "Billy C. Dickson, Jr.".

Signed by Dickson, Billy
on 03/08/24

Billy C. Dickson, Jr., Chief
Reactor Projects Branch 2
Division of Operating Reactor Safety

Docket No. 05000341
License No. NPF-43

Enclosure:
As stated

cc w/ encl: Distribution via LISTSERV®

Letter to Peter Dietrich from Billy C. Dickson dated March 8, 2024.

SUBJECT: FERMIL POWER PLANT, UNIT 2 – SAFETY CONSCIOUS WORK
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**U.S. NUCLEAR REGULATORY COMMISSION
Inspection Report**

Docket Number: 05000341

License Number: NPF-43

Report Number: 05000341/2024011

Enterprise Identifier: I-2024-011-0017

Licensee: DTE Electric Company

Facility: Fermi Power Plant, Unit 2

Location: Newport, MI

Inspection Dates: January 02, 2024 to March 31, 2024

Inspectors: M. Keefe-Forsyth, Safety Culture Program Mgr.
R. Sigmon, Senior Reactor Systems Engineer

Approved By: Billy C. Dickson, Jr., Chief
Reactor Projects Branch 2
Division of Operating Reactor Safety

Enclosure

SUMMARY

The U.S. Nuclear Regulatory Commission (NRC) continued monitoring the licensee's performance by conducting a Safety Conscious Work Environment Issue of Concern Follow-up Inspection at Fermi Power Plant, Unit 2, in accordance with the Reactor Oversight Process. The Reactor Oversight Process is the NRC's program for overseeing the safe operation of commercial nuclear power reactors. Refer to <https://www.nrc.gov/reactors/operating/oversight.html> for more information.

List of Findings and Violations

No findings or violations of more than minor significance were identified.

Additional Tracking Items

None.

INSPECTION SCOPES

Inspections were conducted using the appropriate portions of the inspection procedures (IPs) in effect at the beginning of the inspection unless otherwise noted. Currently approved IPs with their attached revision histories are located on the public website at <http://www.nrc.gov/reading-rm/doc-collections/insp-manual/inspection-procedure/index.html>. Samples were declared complete when the IP requirements most appropriate to the inspection activity were met consistent with Inspection Manual Chapter (IMC) 2515, "Light-Water Reactor Inspection Program - Operations Phase." The inspectors reviewed selected procedures and records, observed activities, and interviewed personnel to assess licensee performance and compliance with Commission rules and regulations, license conditions, site procedures, and standards.

OTHER ACTIVITIES – TEMPORARY INSTRUCTIONS, INFREQUENT AND ABNORMAL

93100 - Safety Conscious Work Environment Issue of Concern Follow-up

Over the last two years the NRC Resident Inspectors at Fermi had been closely monitoring the safety conscious work environment (SCWE) due to observations and interactions with plant staff. Some of these observations involved Radiation Protection (RP) staff but other examples involved staff from other licensee departments including the Quality Assurance group. These observations did not reach the threshold for documentation in any inspection report.

During the performance of the Biennial Problem Identification and Resolution (PI&R) Inspection at Fermi in late 2023, the NRC inspectors determined that there was a perceived environment that discouraged RP staff from initiating condition reports. Specifically, during the PI&R focus group discussions, all RP technicians participating stated that they were willing to raise safety concerns to their first-line supervisors but would not write condition reports for fear of retaliation, embarrassment, and/or it would be closed out to the initiator just having a "beef" with management with no actual resolution taken. (See Fermi Power Plant, Unit 2 – Biennial Problem Identification and Resolution Inspection Report 05000341/2023010 (ML23340A032)).

Therefore, the NRC determined that an assessment of SCWE at the Fermi Power Plant, Unit 2, using Inspection Procedure (IP) 93100, "Safety Conscious Work Environment Issue of Concern Follow-up" was appropriate.

The purpose of this IP 93100 inspection was to determine if indications of a chilled work environment exist; if employees were reluctant to raise safety or regulatory issues; and if employees were being discouraged from raising safety or regulatory issues at Fermi. The inspection consisted primarily of reviewing licensee SCWE assessments, reviewing SCWE related issues documented in the licensee's Corrective Action Program (CAP), observing plant activities, and conducting interviews with plant workers. During this inspection, the team conducted focus groups and interviews with individuals from Operations, RP, Maintenance, as well as supervisors and managers. In addition, the team interviewed the department managers for Operations, RP, and Maintenance, the Employee Concern Program (ECP) manager.

Safety Conscious Work Environment Issue of Concern Follow-up (1 Sample)

- (1) Review of SCWE at Fermi

INSPECTION RESULTS

Assessment	93100
Safety Conscious Work Environment	
<u>Overall Assessment of SCWE</u> The team did not note any current indications of a chilled work environment within the RP department. Licensee staff in this department and other staff who were interviewed were all willing to identify and raise nuclear safety issues and did not fear retaliation. The team interviewed all available employees (22) from the RP department, some randomly selected employees from the Maintenance and Operations departments, as well as supervisors and managers, and the ECP manager.	
<u>Willingness to Raise Safety or Regulatory Issues</u> Based on focus group discussions held with employees, focusing on the RP department but also including personnel from the Operations and Maintenance departments, the team determined that employees generally felt free to raise nuclear safety concerns without fear of retaliation. However, the team noted that with the recent transition of the site's Corrective Action Program (CAP) system to a new software package, some workers, particularly contractors, felt challenged with the new program due to a lack of familiarity and training that was not uniformly available to everyone. This lack of familiarity and training caused some individuals to express reluctance about using the new software, relying instead on supervisors to initiate condition reports. The team noted that steps already underway to provide one-on-one training for the new software within the RP department were well-received by those who had participated.	
<u>Corrective Action Program</u> There appears to be a misconception about the purpose of the CAP amongst the staff the team interviewed. Condition Reports (CRs) are not meant to be punitive, but some communications imply that if action is not taken, a CR will be written, which could lead to a perception that initiating a CR is intended to have negative consequences for someone. Employees also expressed skepticism that raising concerns would make a difference, as it was felt that if a CR was initiated, it would be closed to trending, closed to a work order that would never be scheduled, or assigned as work back to the originator of the issue. This appears to represent a fundamental lack of understanding about what the purpose of the CAP is – that owning a CR does not mean that person is required to do the work; that trending failures, even if the problem was immediately fixed has safety value; and that writing a CR is not in any way some kind of negative action. It is a way to initiate the process for ensuring deficient conditions are appropriately addressed.	
<u>ALARA and Work Process Controls</u> There were concerns raised in discussions with RP department personnel, validated in interviews with members of other departments, that there is a perception amongst the licensee staff that radiological safety is not held to the same standard as industrial safety. The licensee staff provided examples regarding choices made across the organization up to management levels to sacrifice dose impacts in the name of efficiency, a “production-over-(radiological) safety” mentality. The RP department feels they shoulder the burden for radiological safety for the entire site, especially in contrast to industrial safety, which is recognized as the responsibility of every individual. There appears to be an opportunity to incorporate ALARA better (as low as reasonably achievable) and dose	

planning into the work planning process to raise awareness of radiological safety while better coordinating work in high radiation areas across the departments to minimize dose. This effort could also alleviate concerns in the RP department about whether current staffing levels will be adequate to meet the workload demands.

Other Observations

The team heard from long-term contractors that they don't feel they are as respected as in-house DTE employees. When asked about hesitancy with raising concerns, some contractors stated that there is a potential that a contractor could be seen as "rocking the boat" if they were to raise a concern, and that could potentially impact their jobs. It should be noted that every contractor interviewed stated they would be willing to (and had) raised safety concerns. However, the inherent tension of the more tenuous nature of a contractor's job is a management and communication challenge that requires maintaining awareness of the need to reinforce that raising safety concerns is a good thing constantly.

The licensee captured the team's observations in the CAP as follows:

CR-2024-36020, NRC SCWE Inspection Observation - Perception of Production Over Safety (Radiation Safety)

CR-2024-36022, NRC SCWE Inspection Observation - Site Over-Reliance on RP

CR-2024-36023, NRC SCWE Inspection Observation - Long-Term Contractor Support

No violations or findings of significance were identified during this inspection.

EXIT MEETINGS AND DEBRIEFS

The inspectors verified no proprietary information was retained or documented in this report.

- On January 31, 2024, the inspectors presented the Safety Conscious Work Environment Issue of Concern Follow-up Inspection results to Peter Dietrich and other members of the licensee staff.

DOCUMENTS REVIEWED

Inspection Procedure	Type	Designation	Description or Title	Revision or Date
93100	ALARA Plans	231029	Drywell/Reactor Building Steam Tunnel Emergent Work	08/18/2023
	Corrective Action Documents	CR-2023-32672	Prioritization of Refuel Floor Work Activities Increased Both Industrial Safety and Radiological Risk	08/29/2023
		CR-2023-32778	Unnecessary Dose Received When Two Techs Were Directed to Enter the Drywell Basement to Take Pictures of a Condition Already Reported	09/02/2023
		CR-2023-33183	NRC Identified: Lack of Written Guidance for Initial ECP Screening of Anonymous CRs	09/20/2023
		CR-2023-33970	PO 23-01 Drywell 2nd Floor Entry Deviations from RWP Instructions	10/24/2023
		CR-2023-33980	Potential Safety Culture Concern	10/25/2023
	Corrective Action Documents Resulting from Inspection	CR-2024-36020	NRC SCWE Inspection Observation - Perception of Production Over Safety (Radiation Safety)	02/01/2024
		CR-2024-36022	NRC SCWE Inspection Observation - Site Over-Reliance on RP	02/01/2024
		CR-2024-36023	NRC SCWE Inspection Observation - Long-Term Contractor Support	02/01/2024
	Miscellaneous	NAQA-22-0045	2022 Nuclear Safety Culture Assessment Report	09/19/2022
		NG-22-0011	Second Trimester 2022 Nuclear Safety Culture Report	11/21/2022
		NG-23-0003	Third Trimester 2022 Nuclear Safety Culture Report	02/10/2023
		NG-23-0007	First Trimester 2023 Nuclear Safety Culture Report	06/30/2023