

November 25, 2009

ALL AGREEMENT STATES AND NON-AGREEMENT STATES
STATE LIAISON OFFICERS

A DRAFT SAFETY CULTURE POLICY STATEMENT AND NOTICE OF U.S. NUCLEAR
REGULATORY COMMISSION WORKSHOPS (FSME-09-095)

Purpose: To inform all State contacts about: (1) an opportunity for States and their licensees to comment on a draft Commission policy statement on safety culture* and (2) upcoming workshops relating to the draft policy statement and safety culture terminology. Agreement States are requested to share the draft policy statement with their licensees and to inform their licensees about upcoming workshops related to developing a definition of safety culture and safety culture terminology.

Background: In SRM-COMGBJ-08-0001, "A Commission Policy Statement on Safety Culture" (February 25, 2008; ML080560476), the Commission approved the need to expand its policy statement on safety culture to include all licensees and certificate holders and to incorporate the unique aspects of security. In preparing the draft policy statement, the U.S. Nuclear Regulatory Commission (NRC) staff reviewed issues relating to safety culture, including:

1. How to increase attention to safety culture in the materials area,
2. How stakeholder involvement can most effectively be used to address safety culture for all NRC and Agreement State licensees and certificate holders, including any unique aspects of security; and
3. Whether publishing NRC's expectations for safety culture and for security culture is best accomplished in one safety/security culture statement or in two separate statements, one each for safety and security, while still considering the safety and security interfaces.

In SECY-09-0075, "Safety Culture Policy Statement," (May 18, 2009; ML091190629) the NRC staff addressed the issues above and provided the Commission with a draft policy statement. In SRM-SECY-09-0075, "Safety Culture Policy Statement," (October 16, 2009; ML092920094) the Commission approved publishing a draft policy statement in the *Federal Register*.

*This information request has been approved by OMB 3150-0163, expiration 12/31/2009. The estimated burden per response to comply with this voluntary collection is approximately 8 hours. Send comments regarding the burden estimate to the Records and FOIA/Privacy Services Branch (T-5F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by Internet e-mail to infocollects@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202 (3150-0163), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

Discussion: On November 6, 2009, the draft safety culture policy statement was published in the *Federal Register* (74 FR 57525) with a notice of an opportunity to comment. The NRC is also requesting information responding to a set of questions that are included in the notice. Comments on the policy statement are requested by February 4, 2010. A short summary of the safety culture concept and NRC's safety culture efforts is enclosed as Enclosure 1 and is available electronically at ML093270327. A copy of the draft policy statement is enclosed as Enclosure 2. The draft policy statement (ML093240408) is also available electronically at <http://www.regulations.gov/search/Regs/home.html#documentDetail?R=0900006480a52ac5>. The short summary was developed to make it easier for Agreement States to share the safety culture concept and the draft policy statement with their licensees.

The draft policy statement indicates that it is the Commission's policy that a strong safety culture is an essential element for individuals, both internal to the NRC and external to the NRC, that perform or oversee regulated activities. Safety culture includes nuclear safety and security issues. Licensees and certificate holders bear the primary responsibility for safely handling radioactive material and should foster a positive safety culture in their organizations and among individuals overseeing or performing regulated activities. The Commission has directed the NRC staff to consider incorporating suppliers and vendors of safety-related components into the policy statement. The policy statement also emphasizes the NRC's independent oversight role, which includes addressing licensees' and certificate holders' performance related to areas important to safety culture.

The NRC is increasing the attention that it gives to safety culture, because is an important contributor to ensuring the protection of the public in the use of radioactive material. The draft policy statement includes a definition of safety culture that makes the definition more widely applicable to the full range of NRC licensees and certificate holders and incorporates nuclear security within the definition. In addition, the *Federal Register* notice includes a set of safety culture characteristics, which the NRC considers to be indicative of a strong safety culture. These safety culture characteristics are an evolution of the safety culture components used by the NRC in its Reactor Oversight Process and have been revised to be relevant across a broad range of licensee and certificate holder activities and to address the importance of security. The Commission has directed the NRC staff to seek opportunities to have the NRC safety culture terminology comport, where possible, with the existing standards and references maintained by those that NRC regulates. As the NRC is proceeding with developing a final policy statement, the NRC is seeking to: (1) develop a definition of safety culture that can be adopted throughout the domestic nuclear industry and (2) develop common terminology relating to safety culture — including a common list, and description, of areas important to safety culture — to facilitate communication and shared understanding by regulators and other stakeholders.

The NRC will be hosting a series of public workshops to develop a definition of safety culture and safety culture terminology. A separate *Federal Register* notice that describes this effort and requests names of individuals to participate at the public meeting(s) in a roundtable discussion of the issues will be published shortly. The first public workshop will be scheduled for late January or early February 2010. The second public workshop is scheduled for April 13-15, 2010. Agreement State licensees are welcome to participate in these upcoming workshops. Additional information on these meetings will be available through the NRC website at <http://www.nrc.gov/public-involve/public-meetings/index.cfm> and <http://www.nrc.gov/about-nrc/regulatory/enforcement/safety-culture.html>.

If you have any questions on this correspondence, please contact the individual named below.

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Office of Federal and State Materials
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Enclosure:

1. NRC Safety Culture Summary
2. *Federal Register* Notice, "Issuance of draft safety culture policy statement and notice of opportunity for public comment"

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