

**Exelon Comments on
Cross-Cutting Issue Review Recommendations and Lessons Learned**

Cross-Cutting Issue Review Recommendations and Lessons Learned	
<p>CI-1. The regions should be encouraged to consider conducting inspection debriefs which involve both reactor divisions with attendance including staff as well as management. Several regions have or are considering expanding their inspection debriefs.</p>	<p>CI-1. Agree</p>
<p>CI-2. Revise IMC 0612 to provide additional guidance and examples for assigning and documenting crosscutting aspects.</p>	<p>CI-2. We agree in general with this recommendation, with the following comments:</p> <p>While providing guidance and examples for assigning and documenting cross-cutting aspects appears prudent, we believe that more substantial guidance and training is required to ensure consistency in application of the guidance.</p> <p>Cross-cutting aspects are frequently issued without a final cause analysis due to timing of the inspection report issuance, resulting in conclusions that may be different from the licensee conclusion. This should be addressed in the guidance. .</p> <p>Guidance should clarified to stress that cross-cutting aspects should be assigned to items that are a “significant contributor” (see MC 0305 and MC0612 Appendix F). Frequently, aspects are assigned that are only tangentially associated with the condition and no clear definition of “significant” exists. Inconsistent Regional expectations contribute to some inspectors assigning cross-cutting aspects to all findings and violations, which we believe is not warranted.</p> <p>We agree with the proposal to clarify the guidance for “indicative of current performance.”</p> <p>We do not support the recommendation to require inspectors to document why a cross-cutting aspect was not assigned. A simple statement that no cross-cutting aspect was assigned is sufficient.</p>
<p>CI-3. NRR should continue their process of providing periodic refresher training to staff on IMC 0612 and 0305 as changes are made. IMC040 No changes needed.</p>	<p>CI-3. Agree. Industry experience during supplemental inspections (95002) supports the recommendation that additional staff training on 0612 and MC 0305 is warranted.</p>

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<p>CI-4. Clarify that a crosscutting theme needs to involve 2 four or more inspection findings with the same crosscutting aspect (should not look for sub-cross-cutting aspects). (IMC0305 In-progress)</p>	<p>CI-4. Greater clarity is needed on this recommendation. The term “sub-cross-cutting aspect” is not defined in ROP guidance. The NRC inspectors should be following the guidance in MC 0305. Clarification regarding what an aspect is may be required to MC 0305 through revision and/or training.</p>
<p>CI-5. Identified redundancy in the first two criteria for a substantive cross-cutting issue in the problem identification and resolution and human performance cross-cutting areas. (IMC0305 In-progress)</p>	<p>CI-5. Agree.</p>

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Palo Verde NRC Lessons Learned Recommendations	
<p>PV-1. Consideration should be given to considering all 13 safety culture components during implementation of the baseline program. Additional criteria should be established for when to consider a cross-cutting theme for the safety culture components of accountability, continuous learning environment, organizational change management, and safety policies. (IMC 0305 In progress, working to incorporate the other safety culture components as crosscutting components.)</p>	<p>PV-1. Disagree. The safety culture components in MC 0305 that are not currently in the cross-cutting components are subjective and much more difficult to evaluate in the context of individual findings and will result in significant subjectivity if utilized. The current guidance requires inspectors to use the licensee's causal evaluations to assign cross-cutting aspects; however these components are not typically evaluated in causal evaluations.</p> <p>The addition of safety culture components to the baseline program also has the potential to mask trends/insights associated with the effectiveness of the new safety culture provisions of the ROP (< 2 years in service).</p> <p>Significant stakeholder dialogue would be warranted on the related aspects to be developed.</p> <p>Originally, the staff concluded that the baseline could not assess these additional safety culture components. Therefore, it is not clear what the basis is for the staff's change in position relative to the ability of staff to assess the additional SC components as part of the baseline.</p>
<p>PV-2. Consider revising IMCs 0305 and 0612 to allow inspectors to assign multiple cross-cutting aspects for each safety culture related cause associated with a performance deficiency. If the result is an increase in the number of cross-cutting aspects, then MC 0305 should be revised to raise the criteria to satisfy the requirements for a substantive cross-cutting issue. In addition, for sites with multiple units, consideration should be given to raising the criteria to satisfy the requirements for a substantive cross-cutting issue. (IMC 0612, IMC 0305 Not adopting this recommendation. Reinforcing existing flexibility to only assign multiple crosscutting aspects for unusual or complex issues.)</p>	<p>PV-2. The assignment of multiple cross-cutting aspects should not be permitted. However, we agree that MC 0305 should be revised to raise the criteria for substantive cross-cutting issues based on the changing implementation of the program that has resulted in an increased ratio of findings and violations that are receiving cross-cutting issues.</p>

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<p>PV-3. Cross-cutting safety culture issues challenge the ability of the NRC to reach accurate risk informed decisions and provide an appropriate level of regulatory oversight. Consideration should be given to evaluating and developing more assertive NRC actions (such as a direct input to the ROP action matrix) for repetitive or certain types of multiple substantive cross-cutting issues. IMC 0305 (In-progress, working to slightly modify NRC regulatory responses to a repetitive substantive crosscutting issue. No changes are proposed to the ROP Action Matrix inputs.)</p>	<p>PV-3. Agree with the staff's position not to incorporate SCCIs into the action matrix. However, it is not clear what the staff's intent is relative to the Status comment "Working to slightly modify NRC regulatory responses to a repetitive SCCI." Additional dialogue on this change is needed.</p>
<p>PV-4. Consideration should be given to providing additional guidance in IMC 0609 on the acceptable methods to be used to assess the additional risk impact of findings with underlying causes that are associated with the safety culture components. IMC 0609, IMC 0305, IP95003 (In-progress, working on amplifying the guidance.)</p>	<p>PV-4. The staff should more clearly convey its intent relative to IMC 0609. However, an event has a finite risk value associated with it and the cause does not change that risk. The risk impact of a finding should be restricted to the quantifiable impact as measured by standard PRA methods.</p>
<p>PV-5. Consideration should be given to adding specific guidance in IP 95003 that describes the acceptable method to be used to perform the cumulative risk assessment. IP 95003 (In-progress working on amplifying the guidance.)</p>	<p>PV-5. Does not appear to have explicit criteria. To provide a meaningful comment we need to better understand the intended modifications. Additional dialogue on this change is needed.</p>
<p>PV-6. Consideration should be given to revising IP 95003 to include an allowance to validate the results of the licensee's root cause investigation in lieu of the NRC performing a separate root cause investigation. The NRC's completion of this activity should only occur if the licensee's investigation is determined to be incomplete. IP 95003 (In-progress.)</p>	<p>PV-6. Although we agree in theory, the practicality of this may be much more difficult in that NRC would be required to perform some level of an independent causal determination to achieve this. The methodology and required detail of this evaluation should be documented and transparent to external stakeholders and the conclusions should be repeatable regardless of who performs the causal determination.</p>
<p>PV-7. Consideration should be given to describing root cause analysis tools other than MORT that could be used to complete the collective review of the root causes. Additionally, it may be necessary to add a root cause specialist to the team to complete the review. IP 95003 (In-progress.)</p>	<p>PV-7. Agree. MORT is not the only valid root cause methodology. However, the reason for choosing a methodology should be documented sufficiently to ensure that the conclusions are repeatable regardless of who performs the root cause.</p>
<p>PV-8. The NRC should consider partnering with industry in an effort to develop a standardized safety culture assessment process and tools, including a survey. IMC 0305 (IP95003 Considering this item.)</p>	<p>PV-8. This recommendation is contrary to Commission direction in an SRM (SRM-SECY-04-0111). The SRM directed the staff to not conduct surveys of licensee personnel. However, the NRC and the industry should develop a standardized safety culture assessment process and tools, which may include a standard survey that could be used by the licensee.</p>

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Palo Verde NRC Lessons Learned Recommendations	
PV-9. Until an industry/NRC accepted standard is developed, the NRC should perform an independent detailed analysis of the survey tool and analytical techniques when evaluating a licensee's safety culture assessment. IP 95003 (In-progress, intend to retain elements to validate licensee safety culture assessment methods.)	PV-9. Disagree. The NRC should be concerned with the analysis results and whether a qualified person/organization performed the assessment. Review and approval of the survey tool and analytical techniques, while important for the NRC to understand, puts the NRC in a consultant/management role that is inappropriate.
PV-10. Consider revising IP 95003 to provide the flexibility to initiate a variety of inspection responses consistent with the performance deficiencies at a particular facility. This should include an evaluation of the existing IP 95003 boundary conditions. IP 95003 (In-progress, working to provide flexibility for site situations.)	PV-10. We believe NRC already has this flexibility. Therefore, it's not clear why this change is being made. Additional dialogue on this change is needed.
PV-11. Consider revising IP 95003 to include an assessment of outage activities. IP 95003 (In progress, plan to amplify outage coverage and sensitivity of the outage inspection burden on licensee.)	PV-11. This assessment should only be called for if the findings(s) that resulted in the degraded cornerstone or their underlying cause(s) have a clear link to outage activities that cannot be assessed during non-outage periods. Inspections, especially those that require interviews or significant data requests, can be disruptive during outages and should be minimized.
PV-12. Consider revising IP 95003 to treat the activity as a fact finding to understand the depth and breadth of performance concerns. This includes the potential for greater use of unresolved items. IP 95003 (In-progress, working to amend inspection approach.)	<p>PV-12. The NRC should more clearly convey its intent relative to the term "fact finding." It is not clear on what would constitute a "fact finding" nor is it clear how the greater use of unresolved items would help in the assessments.</p> <p>We agree in principle that it is desirable to expeditiously complete the 95003 inspection and not let lower level issues delay closure of the findings and causes that resulted in the need for a 95003 inspection. However, the potential for large numbers of unresolved items could be significant, thereby leading to open items for a significant period of time. Every attempt should be made to resolve the items during a 95003 inspection. Otherwise, specific controls should be in place so that the items do not linger.</p> <p>Additional dialogue on this change is needed.</p>
PV-13. Consideration should be given to establishing and assessing precursors as part of the baseline inspection program. These precursors should be assessed as part of the IMC 0305 assessment process. (IMC 0305 In-progress, looking at correlation of safety culture components with qualitative precursors.)	<p>PV-13. The NRC should more clearly convey its intent relative to "assessing precursors." The ROP is founded on objective criteria for determining the level of oversight. Including precursor information will re-inject another element of subjectivity into the assessment process.</p> <p>Additional dialogue on this change is needed.</p>

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PV-14. Consideration should be given to developing innovative methods to assess the effectiveness of inspection program implementation. IMC 0307 (Under consideration.)	PV-14. The NRC recently completed an effort for ROP alignment to assess and make changes to the current baseline inspection program. Additional dialogue will be needed to convey what the purpose and direction of this suggest change is.
PV-15. Consideration should be given to permanently changing the resident inspector staffing requirements at three unit sites to ensure an appropriate level of oversight is maintained. (For a 3 Unit Site: 1 - Senior Resident Inspector, 3 - Resident Inspectors) IMC 0102 (Under consideration.)	PV-15. Although we agree that an appropriate level of oversight is maintained is only prudent, we do not agree that four inspectors at a three-unit site is always the "appropriate level," absent any justification on why this change is needed.
PV-16. Consideration should be given to providing additional guidance to supervisory and management personnel for the conduct of management site visits at facilities where only a few findings have been identified. IMC 0102 (Under consideration.)	PV-16. The NRC should more clearly convey why this level of oversight would be warranted for sites with only a few findings identified. This recommendation is not clear regarding the purpose or the direction management site visits would take. Additional dialogue on this change is needed.
PV-17. Consideration should be given to adding one FTE per region to focus on initial and continuing training needs of the inspection staff. IMC 0102 (Under consideration.)	PV-17. Agree, assuming there is clear evidence that shows inadequate training resulted in inspectors failing to identify issues. However, without this evidence the NRC has a responsibility to limit unnecessary spending.
PV-18. Consider revising IP 95003 to require implementation of the EP attachment and having an EP inspector from another regional office perform the attachment. IP 95003 (Under consideration.)	PV-18. Disagree. Additional inspection in an area that may or may not be a legitimate part of the scope creates unnecessary cost, paperwork, and time with no relationship to the inspection being performed. If the NRC has a particular concern about the EP area, we believe it should be pursued in another manner and not automatically included in IP 95003 inspections.
PV-19. Consideration should be given to evaluating the implementation of the EP baseline inspection program. IP 95003 (Under consideration.)	PV-19. Although there may be some redundancy between inspections and performance indicators that could be eliminated, the intent and purpose for this change is not clear. Additional dialogue on this change is needed.
PV-20. IP 95003 boundary conditions (1, 3, and 5) should be reevaluated. For condition 1, consider adding flexibility to allow the NRC to oversee independent inspections performed by a third party. Review consistency with having an independent third-party assess the licensee's safety culture. For condition 3 consider a revision to increase the flexibility of the procedure by allowing the use of unresolved items and a separate follow-up inspection to resolve the technical concerns (defer significance determination process evaluation). For condition 5 consider a	PV-20. <u>Boundary Condition 1</u> We agree with the proposed change to boundary condition 1 assuming that oversight does not include an independent validation of the methodology used. <u>Boundary Condition 3</u> We disagree with the proposed change to boundary condition 3. Neither the increased use of URIs nor the delay of an SDP should be encouraged.

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Palo Verde NRC Lessons Learned Recommendations	
<p>revision to increase the flexibility of the procedure by considering the implementation of portions of the inspection procedure before the licensee has completed their third party safety culture assessment and root cause evaluation in order to promptly assess the depth and breadth of potential problem areas. Additionally, consider a revision to allow for periodic NRC assessments during the performance of the licensee's root cause analysis and third-party safety culture assessment. IP 95003 (In-progress.)</p>	<p><u>Boundary Condition 5</u> We agree in part with the proposed change to boundary condition 5. The IP 95003 should not take place prior to the completion of the root cause analysis, although portions of the inspection could be completed before the third-party safety culture assessment.</p>
<p>PV-21. IP 95003-02, Inspection Requirements, indicates that if the IP 95001 and IP 95002 supplemental inspections have not been performed, then the IP 95003 should include an assessment of the licensee's evaluation of those issues. A revision should be made to note that the licensee's evaluation of the IP 95001 and 95002 issues may not be complete at the time of the IP 95003 inspection. If so, the review of these issues should be included in the Confirmatory Action Letter. IP 95003 In-progress.</p>	<p>PV-21. We strongly believe that an adequate IP 95003 inspection cannot be completed without an evaluation of the licensee's ability to complete the 95001 and 95002 issues.</p>
<p>PV-22. Almost all of the inspection requirements in IP 95003 are performed as part of the baseline inspection program. However, IP 95003 indicates that a duplication of inspection efforts should not occur. A revision should be made to delete a statement in IP 95003 to prevent duplication of other inspection efforts. IP 95003 In-progress.</p>	<p>PV-22. Agree. Duplication of inspection efforts is unwarranted and is an irresponsible use of resources that could be better served to focus on efforts that have not been previously inspected. However, reference to the applicable inspection report would suffice to adequately document that the area was in fact inspected.</p>
<p>PV-23. To more efficiently integrate safety culture and inspection results, it may be more appropriate to embed some safety culture components in the key attributes. The additional safety culture component assessments should focus on those areas where implementation of the inspection program yields limited results. For example, most problem identification and resolution aspects can be evaluated using traditional inspection program techniques. Therefore, limited safety culture assessment interviews and focus groups are needed to assess this area. IP 95003 In-progress.</p>	<p>PV-23. The key attributes in most cornerstones already contain aspects that are either very similar to the safety culture components or are identical.</p> <p>This purpose or the intent of this recommendation is not clear. Additional dialogue on this change is needed.</p>

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<p>PV-24. The requirements and guidance in section 02.07 for conducting the safety culture portion of IP 95003 should be re-evaluated. If the NRC determines that the licensee's third-party assessment was appropriate, then there should be no need to conduct an independent assessment of all 13 safety culture components. The NRC's assessment should determine which, if any, of the 13 components have not been adequately addressed by the third-party assessment and which, if any, of the components are not likely to be addressed by the IP 95003 key attributes. The NRC should then implement safety culture assessment activities to address the remaining components that are expected to have insufficient data to meet the objectives. IP 95003 In-progress.</p>	<p>PV-24. Industry agreed to take the lead in development of NEI/Industry guidance to address safety culture assessment content and quality.</p>
<p>PV-25. Re-evaluate sections 02.07 and 02.08 to only include the specific inspection requirements. All other items should be moved to the guidance section. IP 95003 In-progress.</p>	<p>PV-25. Agree.</p>
<p>PV-26. Section 95003-03 for just-in-time training should be better designed to meet the needs of the inspection teams. The training should include, in part, performance issues at the facility, root cause refresher training, administrative issues, and the conduct of the inspection. IP 95003 In-progress.</p>	<p>PV-26. Agree</p>
<p>PV-27. Regarding team staffing, a qualification program for safety culture assessors should be institutionalized in a manual chapter. Each region should be expected to maintain a cadre of Level 2 safety culture assessors that are capable of implementing most of the IP 95003 inspection requirements. Validation of third-party safety culture assessment tools and methods requires an additional skill set, and can be performed by headquarters personnel or contractors. These skills may not be needed in every case if the NRC and industry develop and implement a standardized safety culture assessment tool and process. IMC TBD Under consideration.</p>	<p>PV-27. The extensive resource commitment, given that Column 4 plants are rare, seems unwarranted and not a responsible use of resources. We recommend the focus be on the skills, knowledge and training required for inspectors to be able to make sound, responsible decisions in this area.</p>

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PV-28. At a minimum, a senior reactor analyst should be required to participate in the final onsite inspection week in order to collect all of the data needed to perform a collective risk assessment of the performance deficiencies and assist in collecting the data necessary to evaluate potentially significant inspection findings. The most desirable option would be to have a senior reactor analyst lead one of the sub-groups and perform the analyst functions as a collateral responsibility. IP 95003 Under consideration	PV-28. We agree in that the NRC should ensure the team is comprised of the personnel needed to perform a collective risk assessment. However, depending on the circumstances surrounding the IP 95003, this may or may not require a senior reactor analyst and may take more or less than a week. This decision needs to be made on a case-by-case basis to responsibly address the issues and focus the appropriate resources.

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DRAFT NRC Inspection Procedure 95003, "Supplemental Inspection for
Repetitive Degraded Cornerstones, Multiple Repetitive Degraded
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- Page 2 General comment: It is not clear that the enclosures could be used as part of other inspections, such as IP 711152 review of a safety culture assessment or review of a safety culture survey outside of the 95003 process.
- Page 2 Item 1: Rephrase as "The NRC is performing the inspection, which involves a graded approach to assess the licensee's safety culture. The scope of the inspection requirements related to safety culture will be based on an evaluation of the licensee's third party safety culture assessment and root cause evaluation."
- Page 2 Item 3: We agree in principle that it is desirable to expeditiously complete the 95003 inspection and not let lower level issues delay closure of the findings and causes that resulted in the need for a 95003 inspection. However, the potential for large numbers of unresolved items could be significant, thereby leading to open items for a significant period of time. Every attempt should be made to resolve the items during a 95003 inspection. Otherwise, specific controls should be in place so that the items do not linger.
- Page 2 Item 5: The first sentence stipulates that the licensee is expected to have completed the associated root cause evaluation and third party safety culture assessments. This conflicts with the second sentence that indicates the 95003 assessment can be conducted in parallel with such licensee evaluations. Recommend deleting the second sentence.
- Page 3 Section 95003-02 should be re-written to include cases where a single red finding moved the licensee to column 4. In addition, the 95001 and 95002 inspections should not be deferred but should be included as part of the 95003, or performed prior to the 95003 inspection. Inputs as significant as 95001 or 95002 inspections can be performed prior to or concurrent with the 95003 but must not be excluded from the 95003 scope or performed after the 95003 has been completed.
- Page 5 Item 02.03.a.1(a): Guidance should be provided for determining the time period for performance information to be collected. A maximum period of five years is recommended. This provides sufficient context for current performance issues and ensures that data requests are reasonable. This would also minimize recurrence of enormous data requests like Palo Verde's 95003 inspection, where more than 5000 documents were used by the inspection team.
- Page 15 Item 02.07.a.4: This step (and any other seeking information on previous safety culture assessments) should reflect that INPO assesses safety culture and a memorandum of agreement between NRC and INPO should be referenced for guidance on use of INPO material during NRC inspection activities (reference ML060060035 and letter from S. Richards (NRC) to L. Gard (INPO) dated March 27, 2007).
- Page 15 Item 02.07.b.2(b): Reword to reflect the typical role of corporate senior management – governance and oversight, rather than being responsible for plant operation.

**Exelon Comments on
DRAFT NRC Inspection Procedure 95003, "Supplemental Inspection for
Repetitive Degraded Cornerstones, Multiple Repetitive Degraded
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- Page 17 Item 02.11: Is the intent to restrict distribution of this separate report so that it is not disclosed to the public? If so, what is the rationale for this position?
- Page 17 Second paragraph under General Guidance: Same comment as page 2, item 3
- Page 17 Third paragraph under General Guidance: This assessment should only be called for if the findings(s) that resulted in the degraded cornerstone or their underlying cause(s) have a clear link to outage activities that cannot be assessed during non-outage periods. Inspections, especially those that require interviews or significant data requests, can be disruptive during outages and should be minimized and not automatically included.
- Page 18 General comment for Team Staffing: Remove the collateral duty of the team leader to brief public officials, since this duty is more appropriate for the "team manager." The team leader should be determining the regulatory basis for inspection issues, which would preclude the need to issue URIs as contemplated in this draft.
- (Page 18) Team Staffing, 1st paragraph. Suggest changing the word "opinion" to "perspective."
- Page 18 First paragraph under Team Staffing: The inspection team is required to be staffed with "qualified" Safety Culture Assessors, yet no such qualification exists under NRC IMC 1245.
- Page 18 Fifth paragraph under Team Staffing: This paragraph refers to "specialized training" for safety culture assessors, but does not describe such training. Significant leadership and management experience is equally as important for an effective safety culture assessment as experience and training, yet IP 95003 is silent in this regard. Further, documentation of staff qualifications to such specific requirements is not contained in IP 95003 reports.
- Page 19 First paragraph: The need for the lead safety culture assessor to have formal education in the social/behavioral sciences and experience in conducting organizational assessment activities is characterized as important, yet the NRC has found several third-party assessments of safety culture to be satisfactory without team members with such qualifications. Equally as important as experience and training to perform an effective safety culture assessment is significant leadership and management experience, yet IP 95003 is silent in this regard.
- Page 19 Second paragraph: Clarify requirements for safety culture assessors. Page 18, fifth paragraph referred to "specialized training," the first paragraph on page 19 calls for formal education and experience, and this paragraph refers to "appropriate credentials." Recommend that the expectations for safety culture assessors be located in a single section and referred to in a consistent manner.

**Exelon Comments on
DRAFT NRC Inspection Procedure 95003, "Supplemental Inspection for
Repetitive Degraded Cornerstones, Multiple Repetitive Degraded
Cornerstones, Multiple Yellow Inputs or One Red Input"**

- Page 19 Third bullet: The ability to conduct content analyses or written and verbal communication is called for; however, it is not clear that IP 95003 provides a structured approach for conducting such analyses.
- Page 20 First bullet calls for knowledge of theories of safety culture; without specific expectations, this is ambiguous.
- Page 20 First paragraph under Inspection Planning and Logistics: This last sentence is inconsistent with other changes proposed by this draft. The last sentence discusses the licensee's formal acknowledgment of 95003 readiness, including completion of root cause analysis and third party safety culture assessments; however, this draft contemplates that the 95003 inspection could be conducted in parallel with these assessments. Except in rare cases, the licensee's root cause should be completed prior to the 95003 inspection.
- Page 20 Third paragraph under Inspection Planning and Logistics: Same comments as page 20, first paragraph. How does a licensee acknowledge readiness when the NRC may elect to perform the 95003 inspection in parallel with the root cause analysis and third party safety culture assessment?
- Page 39 Second paragraph under Item 1: Recommend deleting the reference to staff reduction in the 1990s since it adds no value to the inspection guidance for current conditions.
- Page 52 Section 03.07: Please clarify what is meant by "no specific guidance" in Item a.2 of this section.
- Page 54 Items 03.07.b.2(c)(1) and 03.07.b.2(c)(2): The basis for acceptable participation levels is not clear. If licensees are expected to achieve such numbers, the basis should be defined.
- Page 54 Item 03.07.b.3(a): The connection between the adequacy of data collection and analysis methods and potential to identify the source is not apparent. If the data is sound and properly connected, it should be adequate. Disclosure would not be appropriate, but it should not render the data collected suspect.
- Page 55 Item 03.07.b.3(f): There are no industry-wide "acceptable survey practices." The NRC's inspection guidance imposes standards that add to the costs of such surveys without a clear basis for the practice. The NRC is precluded from conducting independent surveys. It seems that licensees will also conclude surveys are not advantageous due to the cost and level of difficulty in complying with "acceptable survey practices."
- Page 55: Item 03.07.b.4(b): Guidance for assessing third party safety culture assessors ambiguously refers to qualification through "education and/or experience." This requires further clarity for industry to understand the expectations. For example, education is discussed, but no clear expectation is provided. "Knowledge and experience" are better terms when referencing team members since qualifications implies a more rigorous process than currently established in the industry. This is an

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- important point since the level of NRC graded approach will, in part, depend on "qualifications" of the third party safety culture assessment team (reference page 56, item 03.08.a).
- Page 56 Second paragraph under Item 03.08.a: The last sentence reflects that satisfying NRC concerns with the third party safety culture assessment will adjust the scope and depth of the NRC's graded approach. Recommend deleting this sentence since it may impose undue pressure on the third party to accept NRC comments in order to minimize the NRC inspection impact on the licensee.
- Page 57 Item 03.08.a.3(a): The paragraph talks about low response rates – is this in reference to survey participation? Also, it directs the NRC to look at licensee response, such as conducting additional assessment activities. Is this referring to additional third party assessment activities or licensee efforts outside of the third party assessment?
- Page 59 Item 1: The connection between accuracy of communication of third party safety culture assessment results and health of a licensee's safety culture is unclear. The more pertinent subject would seem to be licensee response (i.e., corrective actions to close gaps) to the assessment.
- Page 59 Item 2(b): The term "behavior" is not in the NRC's definition of safety culture, but it does provide a key aspect to the meaning of safety culture, as recognized by the INPO definition. Consider adopting the INPO definition or adding "behavior" to the NRC definition (Attachment 95003.02).
- Page 60 First bullet under Item 3: Change "licensee's" to "third party assessment team's"
- Page 60 First paragraph after the four bullets: Change "licensee's results" to "third party assessment team's results" in the first sentence. If additional assessment activities are conducted by the licensee, must they be by a third party?
- Page 61 Third paragraph under Item 03.10: Delete this paragraph. See previous comments under page 2, item 3 and page 17, second paragraph.
- Page 62 First paragraph: Use of URIs should not be endorsed in this manner. See previous comments.
- Page 62 Second paragraph: The first sentence needs correction. It implies that a cross-cutting aspect is required for each finding and cross-cutting aspects are assigned to URIs, which is not currently in IMC 0612.
- Page 64 The resource estimate is not aligned with the expectations in the body of IP 95003. For example, p. 18 of IP 95003 says at least one SRA should be assigned full time to the team, which would significantly exceed the estimated 0 – 40 man hours.
- Page 65 Add attachment header and title.

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- Page 65 First and second paragraphs under Introduction: These paragraphs refer to behaviors as they pertain to safety culture, yet this term is not in the NRC's definition of safety culture. Recommend adopting the INPO definition or revising the NRC definition accordingly.
- Page 65 Last two bullets on the page (and first bullet on page 66): NRC attempts to quantify number of occurrences of behaviors to evaluate safety culture. What research is this nexus to safety culture based on and how many is an acceptable number before a concern exists regarding safety culture? Recommend deleting reference to frequency and focus on the behavior itself.
- Page 67 Item c.(2): Reword the main item and its sub-bullets to reference safety culture assessments rather than safety culture components, since the components of safety culture encompass virtually every aspect of nuclear operations. This would essentially be requesting every self or third party assessment. Also, the reference to assessments of "organizational factors" is unclear. What is the information being requested?
- Page 67 Item c.(4): The last sentence references "the guidance," but it is unclear what this means.
- Page 67 Item c.(5): Site financials and budgets are compared to what measurable standard? At what pre-defined point does this become a regulatory concern?
- Page 67 Bullet (2), leadership assessments. An NRC review of individual performance appraisals, even with names removed is inappropriate. There are privacy and confidentiality considerations that could put a licensee in a difficult legal situation. The NRC should review a process description of the job performance policy and process.
- Page 68 This section discusses reviewing corporate strategies and meeting minutes from site senior management meetings. These are inappropriate for NRC review and it is not clear how NRC would assess any information from these items in a meaningful, consistent way.
- Page 68 Item (8): Requesting all CAP documents that relate to safety culture components is too broad since essentially all conditions adverse to quality can be bucketed into one or more of the safety culture components. If the intent is to request a list of all CAP items for the last year, it could simplify the data request and eliminate confusion.
- Page 69 Item 2.a: Sampling plans should be included as attachments to the 95003 inspection report.
- Page 69 Item 2.d: The reference to "performance deficiencies" is not clear. Is this referring to performance deficiencies per NRC IMC 0612? If so, this is already a requirement so IMC 0612 should be referenced. If it means something else, additional clarity is requested.
- Page 70 First bullet: Why call out security? Previous similar statements did not reference security (see 02.07.b.2(a) as an example).

**Exelon Comments on
DRAFT NRC Inspection Procedure 95003, "Supplemental Inspection for
Repetitive Degraded Cornerstones, Multiple Repetitive Degraded
Cornerstones, Multiple Yellow Inputs or One Red Input"**

- Enclosures A through F No changes to Enclosures A through F were identified by the NRC's efforts to capture lessons learned from Palo Verde's 95003 inspection. The NRC should re-engage those who developed the Palo Verde lessons learned to seek improvements from implementing these enclosures.
- Enclosure A, page E-A-8 The last two requirements on the page specify INPO documents as the source material. Please refer to the memorandum of agreement between NRC and INPO for guidance on use of INPO material during NRC inspection activities (reference ML060060035 and letter from S. Richards (NRC) to L. Gard (INPO) dated March 27, 2007) and revise these requirements accordingly.
- Enclosure B, page E-B-2 Item 1 under Continuous Learning Environment: The question calls for the interview to draw comparisons to other plants. Page 55 cautions the inspectors against using industry data. A significant amount of additional data would be required to fully understand the comparison and put it into context (e.g., age of workforce could have a substantial influence on amount of training).
- Enclosure B, page E-B-2 Item 3 under Continuous Learning Environment: The last two sentences should be reworded since they can bias the interviewee. The error is stated to have a negative impact on business and then the interviewee is asked about their willingness to report, which can lead to a natural reluctance to accurately answer the intent of the question.
- Enclosure B, page E-B-2 Item 5 under Continuous Learning Environment: This question calls for the interviewee to speculate what other departments have done. Should be deleted or redirected to the interviewee's direct experiences.
- Enclosure B, page E-B-3 Item 3 under Corrective Action Program: The question about anonymous CRs is biased and leads the interviewee to believe that this is a feature desired or expected by the NRC. Should be rephrased to "How do you identify concerns when you want to remain anonymous?" The last sentence concerning the Employee Concerns Program (ECP) is ambiguous and should be deleted since the ECP is discussed in the Environment for Raising Concerns section.
- Enclosure B, page E-B-3 Item 7 under Corrective Action Program: The question should be directed towards issues raised by the interviewee, since it calls for speculation otherwise.
- Enclosure B, page E-B-4 Item 16 through 18: These questions are better suited for the CAP process owner than the general plant population. Rephrase to make the questions more pertinent to an interviewee.

**Exelon Comments on
DRAFT NRC Inspection Procedure 95003, "Supplemental Inspection for
Repetitive Degraded Cornerstones, Multiple Repetitive Degraded
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- Enclosure B, page E-B-5 Item 1: This item in its entirety needs to be reworded. It is biased and infers that schedule pressure is not in the best interest of nuclear safety. Schedules are developed to maximize safety system availability and minimize plant risk. Delaying return to service of an important safety system should cause significant reaction by the organization, yet this inappropriately implies that this is a negative reaction.
- Enclosure B, page E-B-5 Item 3: Delete "to continue operation" in the first sentence. This can cause confusion between the role of the interviewee and the role of the licensed operator and it adds no value to the context of the question.
- Enclosure B, page E-B-6 General comment on Environment for Raising Concerns: In part, this section seeks to understand if events have chilled the work environment. This is a very difficult area to accurately assess in a manner that does not bias the interviewee. For example, the specific event could be a procedure violation that was self-identified and the individual involved was disciplined. One perspective would be that the discipline makes the interviewee hesitant to self-report, yet accountability for our actions is a fundamental behavior inherent to a strong safety culture. Recommend some additional cautions and perhaps "do's and don'ts" to assist the inspector in obtaining meaningful insights in this area.
- Enclosure B, page E-B-7 Item 7: Delete "policy" since this is a leading question and infers that a policy is needed or required. Some stations may not have such a policy.
- Enclosure B, page E-B-7 Item 8: This question should end with "If yes to any of these questions, please explain."
- Enclosure B, page E-B-7 Item 10: Why is it important for the interviewee to know the training taken by the supervisor? The more appropriate focus would be the actual behaviors of the supervisor.
- Enclosure B, page E-B-7 Item 12: Rephrase as "What actions do managers and supervisors take to maintain or improve SCWE? Are these actions effective? Why or why not?" As written, it leads the interviewee to conclude the actions were historical, tending to infer that these actions must have been in response to a SCWE problem.
- Enclosure B, page E-B-7 Item 2: Same comment as item 2 on page E-B-6.
- Enclosure B, page E-B-8 Items 4 and 6: When the term "safety" is used, most interviewees respond to the question as if it asks about "industrial safety." Is that the intent of the question? Recommend using the term "nuclear safety" to clarify.

**Exelon Comments on
DRAFT NRC Inspection Procedure 95003, "Supplemental Inspection for
Repetitive Degraded Cornerstones, Multiple Repetitive Degraded
Cornerstones, Multiple Yellow Inputs or One Red Input"**

- Enclosure B, page E-B-8 Item 8: Rephrase the question concerning advertising an appeal process to "How were you made aware that this process existed?" since most interviewees will not have responsibilities for advertising such a process.
- Enclosure B, page E-B-8 Item 9: Is the parenthetical question intended to be asked? Asking management to recall survey results does not appear to be pertinent to this area. Could be rephrased as "Are you aware of any concerns with the ECP/Ombudsman programs? If so, please describe."
- Enclosure B, page E-B-8 Item 10: This question is more applicable to those who oversee contractors. Delete "policy" since this is a leading question and infers that a policy is needed or required. Some stations may not have such a policy. Recommend replacing the first sentence with "Do you oversee contractors? If so, ..."
- Enclosure B, page E-B-8 Item 12: Replace "made available" with "communicated" since this infers documented results must be provided. Communication can take written or verbal form.
- Enclosure B, page E-B-9 Item 4: Delete the parenthetical "without having to wade through everything" since it is biased.
- Enclosure B, page E-B-9 Item 7: Replace "would you have liked to see" with "should have." The intent is to determine if something important received less than the appropriate amount of attention rather than invite the interviewee to speculate on their personal preferences.
- Enclosure B, page E-B-10 Item 7 under Organizational Change Management: This question implies that the common practice of "acting" managers is undesirable. The use of "acting" managers can be an effective tool for employee development and succession planning. The intent of the question should be refocused on prolonged vacancies and high turnover rates.
- Enclosure B, page E-B-10 Item 6 under Preventing, Detecting, and Mitigating Perceptions of Retaliation: Delete the parenthetical statement. Due to legal implications, details of disciplinary action cannot be communicated.
- Enclosure B, page E-B-10 Item 8: Add "to you" at the end of the sentence.
- Enclosure B, page E-B-11 Item 3: How does this relate to nuclear safety or safety culture? Rephrase the last question to "What impact did the lack of the _____ have on nuclear safety?"
- Enclosure B, page E-B-11 Item 6: This is a very leading question. Rephrase to "Have you ever turned down overtime? If yes, why?" Delete the parenthetical "or whoever you reported to being too tired to" since this is also biased. Consider asking

**Exelon Comments on
DRAFT NRC Inspection Procedure 95003, "Supplemental Inspection for
Repetitive Degraded Cornerstones, Multiple Repetitive Degraded
Cornerstones, Multiple Yellow Inputs or One Red Input"**

	"Have you been too fatigued to work safely? If yes, what did you do?"
Enclosure B, page E-B-13	Item 7: This item rambles and is not well organized. Rephrase.
Enclosure B, page E-B-13	Item 13: This item is very ambiguous. Whose reaction is being questioned? Management's? The interviewee's? It does not appear to be appropriate to solicit an organization's reaction to INPO. Why not the offsite safety review group?
Enclosure B, page E-B-14	Item 4: Delete "What are they?" and replace with "Give an example of such an "abort criteria" since these are typically for risk-significant jobs and the same criteria is not used each time.
Enclosure B, page E-B-14	Item 5: To provide context to this question, the question "How frequently does this occur?" should also be asked.
Enclosure B, page E-B-14	Item 7: This question is too complex. Rephrase to simplify.
Enclosure B, page E-B-15	Item 12: What is more reactive – 1 or 5? As worded, information may not be consistently obtained. "Then" should be "than" in the first sentence.
Enclosure B, page E-B-15	Item 13: This is a very leading item that infers more outage time is necessary to increase the outage scope. Critical path dictates the outage duration and scope can be increased in many different ways, including adding additional resources or working additional jobs off of critical path. Rephrase the last sentence as follows to be less leading – "If work is moved from the outage to on-line maintenance, what is the typical basis for this action? Give examples."
Enclosure B, page E-B-16	Item 13: Add "nuclear" before "safety."
Enclosure C, page E-C-3	Item 2.3: Add limitations to describe the following: <ul style="list-style-type: none"> • Difficult to coordinate multiple focus groups concurrently. • High impact on licensee resources, especially during outages and risk-significant maintenance activities.
Enclosure C, page E-C-3	General comment on Item 2.4: Include the typical amount of time expected to conduct the focus group (e.g., 60 to 90 minutes).
Enclosure C, page E-C-3	First paragraph under Item 2.4.1: Data is collected regarding length of time in the organization. No details are provided to the inspectors for how this data is to be used. Also, the last bullet on the page does not appear anywhere

**Exelon Comments on
DRAFT NRC Inspection Procedure 95003, "Supplemental Inspection for
Repetitive Degraded Cornerstones, Multiple Repetitive Degraded
Cornerstones, Multiple Yellow Inputs or One Red Input"**

else in the guidance. This seems to provide a significant assurance for confidentiality of the focus group and should appear somewhere in the body of IP 95003.

Enclosure F, page E-F-1

Last bullet under Strengths: The bullet references the existence of reliable and valid surveys. Recommend providing ML numbers so that acceptable survey methodologies are recognized and communicated, especially for consideration by licensee's in third party safety culture assessments.

**Exelon Comments on
DRAFT NRC Inspection Manual Chapter 0305, "Operating Reactor
Assessment Program"**

Page 3 Section 04.17: The proposed changes imply that all assessments of safety culture require formal qualifications and a scope defined by NRC documents. This is too restrictive for self- and independent assessments. Many licensee personnel are capable of directing a self- or independent assessment of safety culture without formal education and training. The scope guidelines effectively ensure that the industry will have to adopt the NRC's framework for defining safety culture.

Page 34 Section 6.07.a.1: Assigning cross-cutting aspects to traditional enforcement actions will increase the population of aspects and should require re-evaluation of the thresholds for considering a substantive cross-cutting issue.

Page 35 Section 6.07.a.2: The last sentence of this section is unclear. The term "sub-cross-cutting aspects" is not defined.

Page 37 Section 6.07.b.1: The last paragraph of this section states that the SCWE input is considered for an extended period of three assessment periods. This is not appropriate. Three potential inputs to SCWE are discussed on page 36 as:

- Finding with SCWE aspect
- Chilling effect letter (CEL)
- Enforcement action

Often, enforcement actions and CELs are issued a significant time following an actual event and the licensee has already investigated, and corrected the condition. For these types of issues, holding the input open for four quarters should be sufficient.

In the case of findings, the NRC has ample opportunity to sample for effectiveness of corrective actions within the four quarters and can also follow up outside the four quarters.

During the four quarters the input is open, the NRC has ample opportunity and is obligated to monitor for SCWE concerns. The Resident Inspectors interact continuously with the licensee staff on SCWE and safety culture health.

In summary, we see no reason to treat SCWE inputs differently from other inputs to the assessment process for substantive cross-cutting issues. The inspection process provides adequate opportunity and is the appropriate vehicle to monitor SCWE health.

Page 45 Third paragraph. Guidance should be provided for circumstances in which it is not appropriate to request a licensee assessment of safety culture. For example, an assessment may not be warranted if a licensee has made reasonable progress in addressing issues, but has not met the specific closure criteria.

Page 45 Third paragraph. It is not clear why a recurring substantive cross-cutting issue in problem identification and resolution requires an independent safety culture assessment, in contrast to human performance or SCWE issues, which only require a licensee self-assessment.