

Mendiola, Doris

From: Todd S CARPENTER [todd.s.carpenter@state.or.us]
Sent: Wednesday, December 30, 2009 3:25 PM
To: Sapountzis, Alexander
Cc: Piccone, Josephine; Terry D LINDSEY
Subject: Safety Culture Draft Policy Comments
Attachments: 20091230121422472.pdf

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Dear Mr. Sapountzis:

Attached is a letter from Terry D. Lindsey, Section Manager, in response to the safety culture draft policy questions. If you have any questions, please feel free to contact our office.

Thanks-Todd

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74 FR 57525
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*F-REDS-ADM-03
Call = A. Sapountzis
(aps)*



Oregon

Theodore R. Kulongoski, Governor

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December 28, 2009

Alexander Sapountzis
Office of Enforcement
Mail Stop 04 A15A, U.S.
Nuclear Regulatory Commission
Washington, DC 20555-0001



Dear Mr. Sapountzis:

As a result of our review, the following comments have been generated from staff members at the State of Oregon, Department of Human Services Radiation Protection Services. If you have any questions regarding these comments, please feel free to contact me.

Oregon Radiation Protection Services
Comments for Safety Culture Draft Policy
December 28, 2009

(1) The draft policy statement provides a description of areas important to safety culture, (i.e., safety culture characteristics). Are there any characteristics relevant to a particular type of licensee or certificate holder (if so, please specify which type) that do not appear to be addressed?

Supervision has become a focal point for regulatory oversight recently. Nuclear medicine technologists, nurses, and non-authorized doctors work under the supervision of an Authorized Medical User (AU). Inspections often point to the lack of physical supervision and oversight of RAM use. Hospitals can indicate they comply with supervision by having an AU over-read the work of non-AU radiologists, cardiologists or nuclear medicine physicians. "Supervision" is difficult to enforce, since the definition is not clearly stated.

(2) Are there safety culture characteristics as described in the draft policy statement that you believe do not contribute to safety culture and, therefore, should not be included?

These two characteristics seem very similar. One leads to the other: process results in decision. They may even be interpreted as the same issue. Perhaps they can be combined. The other option is to clearly differentiate between the two characteristics.

(3) Regarding the understanding of what the Commission means by a "positive safety culture," would it help to include the safety culture characteristics in the Statement of Policy section in the policy statement?

Yes.

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(4) The draft policy statement includes the following definition of safety culture: "Safety culture is that assembly of characteristics, attitudes, and behaviors in organizations and individuals which establishes that as an overriding priority, ~~nuclear~~ radiation safety and security issues receive the attention warranted by their significance." Does this definition need further clarification to be useful?

Delete the word "nuclear" and replace it with "radiation" to clarify the statement.

(5) The draft policy statement states, "All licensees and certificate holders should ~~consider and~~ foster the safety culture characteristics (commensurate with the safety and security significance of activities and the nature and complexity of their organization and functions) in carrying out their day-to-day work activities and decisions." Given the diversity among the licensees and certificate holders regulated by the NRC and the Agreement States, does this statement need further clarification?

Delete the words "consider and" to allow the statement to be stronger.

(6) How well does the draft safety culture policy statement enhance licensees' and certificate holders' understanding of the NRC's expectations that they maintain a safety culture that includes issues related to security?

A simplified bulleted summary version of the policy would be beneficial for licensee understanding.

(7) In addition to issuing a safety culture policy statement, what might the NRC consider doing, or doing differently, to increase licensees' and certificate holders' attention to safety culture in the materials area?

NRC requires the regulators to focus on clear, enforceable items. Perhaps regulating agencies could document best practices regarding work safety and security within the inspection report. The NRC could also create guidance documents for inspection criteria for safety culture towards that goal.

(8) How can the NRC better involve stakeholders to address safety culture, including security, for all NRC and Agreement State licensees and certificate holders?

The NRC should consider developing and enforcing training-program standards related to safety culture. Development of the policy should include the consulting industry providing training. The training-consulting industry must be provided with adequate information and have NRC/Agreement state oversight. Licensees with limited resources may not be able to develop in-house training, so rely on third-parties. These third-party professionals can assist in sharing updated and accurate information.



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