



January 31, 2017

Mr. B. Torrie
Director General, Regulatory Policy Directorate
Canadian Nuclear Safety Commission
P.O. Box 1046
280 Slater Street
Ottawa, Ontario K1P 5S9

Dear Mr. Torrie:

Canadian Nuclear Association Comments on REGDOC-2.1.2; Management System: Safety Culture

The Canadian Nuclear Association (CNA) and its members would like to thank the CNSC for the opportunity to comment on REGDOC 2.1.2; Management System: Safety Culture. Our members agree with the CNSC's position that a healthy safety culture is a key factor in the continued safe operation of our facilities. Our members are committed to continuing to engage in activities that foster a healthy safety culture.

The CNA would also like to thank the CNSC for the very helpful information session held in Ottawa earlier this month and we would encourage the CNSC to continue to engage licensees in workshops as future drafts develop.

Before getting into specific comments, I would like to again express the reoccurring concern our members have with the overly rigid and prescriptive nature of "guidance" that consistently reoccurs throughout the revised REGDOCs. Guidance should be guidance; it should not have the effect of regulation. If a licensee is required to meet guidance criteria, it is a requirement not guidance. As stated above, this is a reoccurring theme in REGDOCs, and one that industry has and will continue to express strong concern with.

With respect to REGDOC 2.1.2, the CNA worked with its members to compile the attached list of comments, some of which are informed by the above mentioned information session. However, we would also like to take this opportunity to highlight the following points:

- 1) Perhaps the strongest concern, the CNA has with the proposed REGDOC is the requirement to submit a written summary report (which includes "a description of data and analysis for each finding") to the CNSC. While we recognize the need for the CNSC to be briefed on safety culture assessments, we believe the current method of detailed confidential briefings serves that purpose.

Given that any written report will be open to Access to Information requests and the very high likelihood of the detailed findings being taken out of context by the public or other stakeholders, the CNA believes that this requirement will have a chilling effect on participants and in fact will be a detriment to safety culture.

A successful safety culture depends upon the willingness of employees to speak freely and directly about safety culture without the fear of having a negative impact on the nuclear industry. The current CNSC approach has helped promote safety culture as an effective management tool. The CNA feels very strongly that this proposed requirement is a step in the wrong direction and will undue much of those benefits and significantly weaken the utility of safety culture assessments.

- 2) CNA members have significant concerns with the attempt to integrate nuclear safety culture with nuclear security culture. While industry recognizes that there is overlap between the two, we believe that it is premature to attempt put the two in the same REGDOC. Nuclear Safety Culture has had several decades to develop a common understanding for frameworks and methodologies to mature. Nuclear Security Culture on the other hand is not nearly as developed. The CNA and its members believe that it is premature to include nuclear security culture in this document and that it should be removed until it is more clearly developed.
- 3) The CNA recommends that the CNSC document the difference between Nuclear Safety Culture and Safety Culture to provide greater clarity for non-power licensees whose risks are significantly lower. The CNSC should modify the document to have a very clear graded approach for different types of licensees. Failure to do so could result in undo burden on non-NPP facilities where the regulatory requirements are unclear.
- 4) CNA members support the requirement to conduct rigorous, periodic nuclear safety culture assessments but believe that licensees should be given the discretion to conduct nuclear safety culture assessments that are best suited to their particular site. Licensees should be able to use the best framework to fit their safety risk areas. As outlined previously, our members do not believe in the “one size fits all” approach. The REGDOC should not be prescriptive with respect to the framework used. If the CNSC feels it must suggest a framework, the REGDOC should be clear that licensees may use it but are not required to do so.
- 5) The REGDOC requires safety culture assessments that are “empirical, valid, practical and functional”. The CNA disagrees with this approach. We do not believe that it is practical or frankly desirable to try and develop a baseline and measure safety culture in empirical and comparable terms. Changes in safety culture can be discerned over time but it is best done through qualitative tools rather than trying to measure absolute quantifiable changes. The most important element of safety culture assessment is the

ability to discern strengths and weaknesses and changes in safety culture which can allow leadership to identify areas for additional focus. Our members feel CNSC should de-emphasize the restrictive and empirical nature of the proposed REGDOC.

- 6) The CNA views the requirement for a safety culture assessment to be conducted every three years to be overly restrictive. While a three-year cycle maybe desirable some flexibility needs to be built in to allow licensees to focus on the findings of previous assessments. A rigid three-year cycle runs the risk of the assessment becoming an exercise focused on the collection and analysis of data. Given that many of our members are constantly evaluating safety culture through other means, CNA believes the REGDOC should allow some flexibility.
- 7) The CNA and its members recommend that the proposed safety culture maturity model described in Appendix B be dropped from the REGDOC. It is our view that the proposed maturity model is not aligned with key nuclear safety characteristics and does not align very well with the balance of the REGDOC. The use of this model is likely to create an environment where there is a focus on strictly pass or fail which could in turn result in licensees focusing on certain targets rather than focusing on overall improvement.

In closing, I would like to emphasize that the CNA and its members, agree with the CNSC that a strong nuclear safety culture is a vital part of the safe operations of our facilities and we remain committed to working with the CNSC to develop mutually agreed approaches to ensure that continued safety. To that end, I would like to suggest another information session when the CNSC has had the opportunity to review and analyse comments on the proposed REGDOC.

Sincerely,



Steve Coupland
Director, Regulatory and Environmental Affairs
Canadian Nuclear Association