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Public Service Electric and Gas Company P.O. Box 236 Hancocks Bridge, New Jersey 08038-0236

Nuclear Business Unit

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LR-N00061

Mr. David L. Meyer  
Chief, Rules and Directives Branch  
Division of Administrative Services  
Office of Administration  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

DOCKET NUMBER  
PETITION RULE FRM 26-2  
(64FR67202)

**SUBJECT: Petition for Rulemaking; Request for Comments on Work Hour Limits (64 Fed. Reg. 67202; December 1, 1999)  
SALEM AND HOPE CREEK GENERATING STATIONS  
DOCKET NOS. 50-272, 50-311 AND 50-354**

Dear Mr. Meyer:

On December 1, 1999, the Nuclear Regulatory Commission (NRC) issued a Petition for Rulemaking, for public comment. This letter submits comments from Public Service Electric and Gas (PSE&G) regarding the Petition for Rulemaking. In addition to these specific comments, PSE&G supports the comments submitted by the Nuclear Energy Institute (NEI).

The petition requests that the NRC add work hour limits to 10 CFR Part 26; add a criterion to 10 CFR 55.33(a)(1) to require evaluation of known sleeping disorders; revise the Enforcement Policy to include examples of work hour violations warranting various NRC sanctions; and revise NRC form 396 to include self-disclosure of sleeping disorders by licensed operators. The petition also requests changes to the NRC inspection procedure for the fitness for duty program. PSE&G believes that the petition for rulemaking should be denied.

The industry has appropriately responded to potential fatigue related issues. Each licensee has developed programs to comply with NRC fitness for duty requirements (including the Continuous Behavioral Observation Program), as well as to implement Generic Letter 82-12, "Nuclear Power Plant Staff Working Hours." These programs successfully demonstrate that licensees recognizes that appropriate management of its work force, including oversight of personnel hours worked, is a fundamental aspect of safe plant operation.

In addition, the administrative controls to prevent fatigue-related incidents are already including in Technical Specifications.

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Although the petitioner includes a statement that "fatigue most probably played a role in a respectable percentage" of incidents recorded in the NRC's Human Factors Information System; the petition fails to supply credible data demonstrating an industry-wide problem with nuclear plant personnel fatigue. In fact, data on industry performance demonstrates that industry performance has improved over the past decade and has done so notwithstanding corporate restructuring affecting nuclear power plant licensees.

For these reasons, we strongly encourage the NRC to deny this petition.

Sincerely,

A handwritten signature in black ink, appearing to read "Gabor Salamon". The signature is fluid and cursive, with a small flourish at the end.

Gabor Salamon  
Licensing Manager

Mr. David L. Meyer  
LR-N00061

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