

October 31, 2002

MEMORANDUM TO: Theodore R. Quay, Chief
Equipment and Human Performance Branch
Division of Inspection Program Management
Office of Nuclear Reactor Regulation

/RA/

FROM: David C. Trimble, Chief
Operator Licensing and Human Performance Section
Equipment and Human Performance Branch
Division of Inspection Program Management
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF THE AUGUST 22-23, 2002, PUBLIC MEETING TO
DISCUSS THE DEVELOPMENT OF A PROPOSED WORKER
FATIGUE RULE

On August 22-23, 2002, the staff held the fifth in a series of public meetings regarding the development of a proposed rule concerning worker fatigue at nuclear power plants. The rulemaking has been proposed as an amendment to 10 CFR 26, "Fitness for Duty Programs." The meeting participants (see Attachment 1) included representatives from the Electric Power Research Institute (EPRI), the Nuclear Energy Institute (NEI), the Professional Reactor Operator Society, the Union of Concerned Scientists (UCS), individual utilities, and members of the public. The meeting agenda is provided as Attachment 2.

Following participant introductions, Jim Davis (NEI) presented a set of work hour controls (Attachment 3) which were proposed as a "stake in the ground." Mr. Davis explained that the proposed guidelines were not an industry endorsed position but were offered as a set of assumptions for purposes of continued discussion of other aspects of the fatigue management requirements. The staff agreed that the proposal represented a workable set of assumptions but that the acceptability of the guidelines as a model for rule requirements would be dependent on the resolution of additional details of the proposed work hour controls, including the process for approving work hours in excess of the thresholds.

Following Mr. Davis' opening remarks, D. Goldin (S. Cohen & Associates) provided an overview of the elements of the regulatory analysis that will be conducted for the proposed rule. Subsequent meeting discussions were focused on the proposed scope of personnel subject to work scheduling requirements. Participants were in general agreement that scheduling controls should apply to on-shift health physics and chemistry technicians designated as performing emergency response functions, but that the requirements would not apply to emergency response personnel reporting to the technical support center or emergency operations facility. NEI noted agreement in concept with defining the scope of maintenance functions relative to scope of equipment addressed by 10 CFR 50.65(a)(4), but were continuing to assess the feasibility of implementing this approach. Consensus was achieved that the key security

functions that should be covered are central alarm station operations, secondary alarm station operations, compensatory measures, and designated armed responders. Preliminary discussions were held concerning whether fire brigade and fire watch functions should be addressed through the work scheduling requirements but no consensus was achieved.

In discussions concerning work scheduling controls there was general agreement that the minimum break during outages should be increased from 8 to 10 hours to provide adequate rest, the two day limit should be increased from 24 to 26 hours to reduce administrative burden associated with minor deviations from 12 hour shifts, that schedules while the plant is operating should be revised from 40 to 42 hours/week to be consistent with 12 hour shift rotations, and that the other work hour guidelines were generally acceptable for purposes of continued discussion of the remaining elements of the proposed rulemaking. A general discussion of methods for monitoring the effectiveness of fatigue management generated several preliminary concepts but no consensus position.

A half-day meeting was held on August 23, 2002 to kick-off discussion concerning the regulatory analysis methods and data needed to support the analysis of the costs and benefits of the proposed rulemaking. NEI noted that, given their previous data collection effort to support evaluation of the PRM, licensees are likely to be reluctant to support additional data collection for the regulatory analysis.

The staff concluded the meeting by setting October 3, 2002 as the date for the next public meeting to address unresolved items from this meeting and further discuss development of the proposed rulemaking.

Attachments: As stated

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NAME	DDesaulniers	DTrimble	TQuay			
DATE	10 /21/02	10/31/02	10 /31 /02	/	/2002	/ /2002

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Public Meeting to Discuss Development of a Proposed Rule Concerning
Worker Fatigue at Nuclear Power Plants
Attendance List

NAME	AFFILIATION
Jim Wigginton	NRC
Steve Turren (by teleconference)	Professional Reactor Operator Society
Wayne Scott	NRC
Clare Goodman	NRC
Dave Lochbaum	Union of Concerned Scientists
Bob Evans	NEI
Mark Burzynski	TVA
Bryan Dolan	Duke Energy
James Davis	NEI
David Ziebell	EPRI
David Shafer	Amergen UE
Martin Humphrey	FENOC
Edmund Tyler	Constellation Generation Group
Clare Bleau	Nuclear Management Co.
Ralph Mullis	Progress Energy
David Desaulniers	NRC
Barry Quigley	Self
Phil Qualls	NRC
Terry Matolsz	SCE&G
Don Mothena	FPL
Alan Roecklein	NRC
Brian Richter	NRC
Tammy Croote	NRC
Herb Fonticella	Dominion

NAME	AFFILIATION
Steve Alexander	NRC
J. Persensky	NRC
David Trimble	NRC
Robert Moody	NRC
Kathy Halvey Gibson	NRC
Dave Goldin	SC&A
Brad Baxter	NRC
Michael Burrel	NRC
Kerri Wachter	SC&A
Deborah Schneider	SC&A
Gerald P. Krueger	SC&A/Wexford Group