

Part 26 Rulemaking Public Meeting

July 7-8, 2004

Ramada Inn, Rockville MD

Welcome

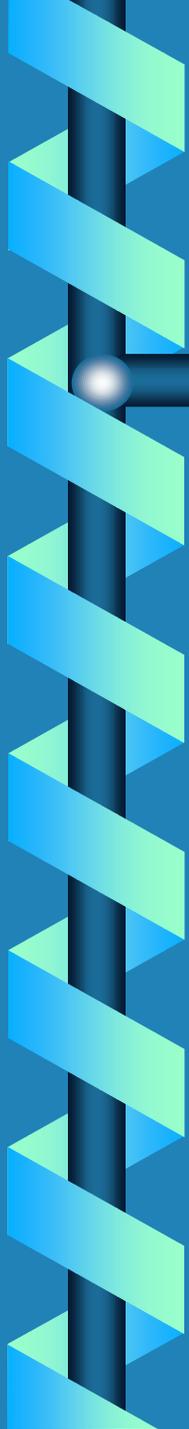
- **NRC Appreciates Time & Effort to Attend Meeting**
- **Importance of Part 26 Rulemaking**
 - **Safety & Security**
- **Meeting purpose: Stakeholder Feedback on Part 26 Rulemaking:**
 - **Combination of Drug Testing and Fatigue rulemakings**
 - **Part 26 Draft Proposed Rule language placed on web**
 - **Regulatory Analysis and OMB Clearance assumptions**

Welcome

- **Last Public Meetings:**
 - Drug Testing - 4/04
 - Fatigue – 8/03
- **Combination of Drug Testing & Fatigue Rulemakings**
 - Directed by SRM-COMSECY-04-0014 dated May 25, 2004
 - Provide Proposed Rule to Commission 12/05
 - Combined Website is now:
http://ruleforum.llnl.gov/cgi-bin/rulemake?source=Part26_risk&st=risk
 - Fatigue Website Being Retained for Historical Info Only

Introductions

- **Office of Nuclear Reactor Regulation**
 - **Project Manager: Becky Karas, (301) 415-3711, rlk@nrc.gov**
- **Office of Nuclear Security & Incident Response**
 - **FFD Technical Expert: Tim McCune, (301) 415-6474, tsm5@nrc.gov**
- **Office of Nuclear Reactor Regulation**
 - **Worker Fatigue Technical Expert: Dave Desaulniers, (301) 415-1043, drd@nrc.gov**
- **Part 26 email: fitnessforduty@nrc.gov**
- **Introductions – Around the Room**

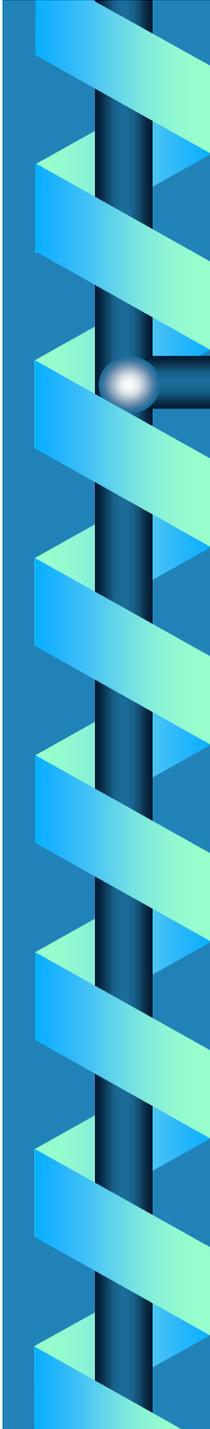


Part 26 Rulemaking History

- **Original Part 26 Rule Announced in Federal Register 6/89**
- **Proposed Part 26 Revisions Noticed 5/96**
- **Final Part 26 Rule Submitted to Commission 7/00**
- **Commission Affirmed Final Rule 12/00**

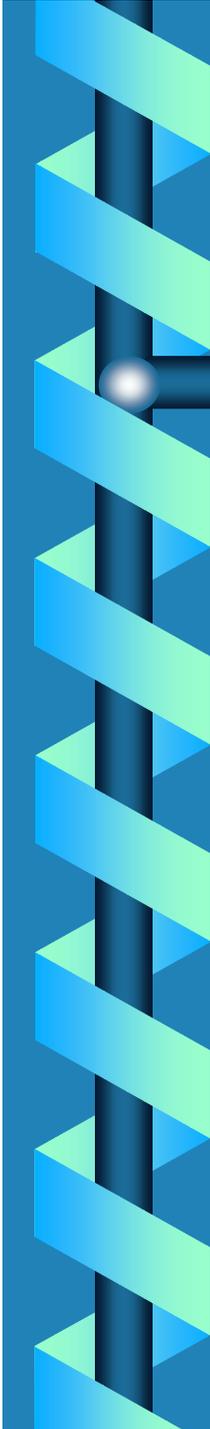
Part 26 Rulemaking History (cont.)

- **Public Comments Sent to OMB Objecting to Final Rule**
- **NRC Withdrew the OMB Clearance Request in 2001 & Began Developing New Proposed Rule**
- **10 Stakeholder Meetings Held in 2001 & 2002 on New Proposed Rule + Recent Meeting in 4/04**



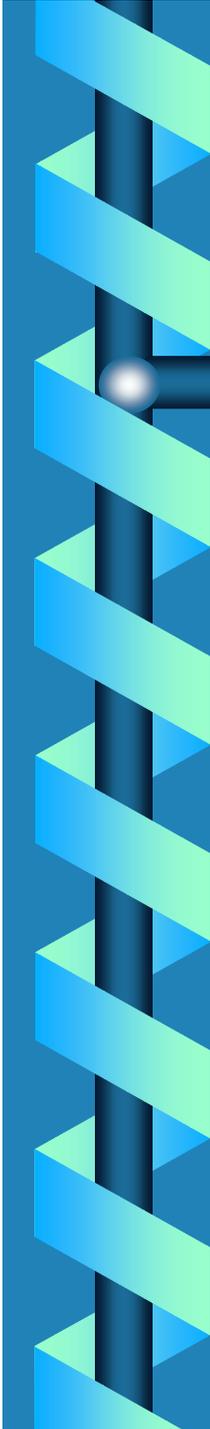
Objectives of Part 26 Rulemaking

- **Update/Consistency With HHS & Other Federal Programs (DOT)**
- **Effective & Efficient FFD Programs**
- **Consistency Between FFD & Access Authorization**
- **Reduce Unnecessary Burden**
- **Improve Clarity of Rule**
- **Protect Privacy & Due Process of Individuals**



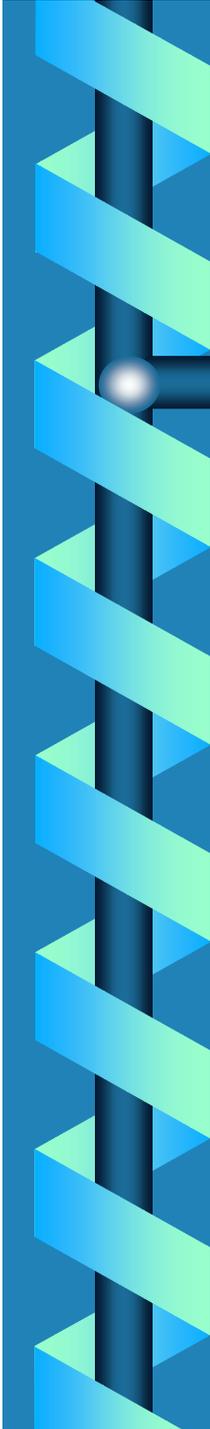
Fatigue Rulemaking History

- **1982 - NRC Established Policy on Worker Fatigue at Nuclear Reactors**
- **February 1999 - Letters from 3 Congressmen**
- **March 1999 - UCS Report Concerning Staffing and Overtime**
- **September 1999 - Petition for Rulemaking from Barry Quigley**
- **2000-2001 – Staff Assessment of Policy and its Implementation**



Fatigue Rulemaking History (Cont.)

- **January 2002 - Commission approves rulemaking plan for reactors**
- **2/02 – 8/03 – Staff Holds 13 Stakeholder Meetings on Proposed Rule**
- **August 2003 - Commission issues Orders limiting security personnel work hours**



Objectives of Fatigue Rulemaking

- **Clarify expectations set forth in policy to gain uniform assurance of worker FFD**
- **Codify work hour guidelines of policy**
- **Risk-inform the approach to worker fatigue**
- **Update approach to accommodate contemporary methods for addressing fatigue**
- **Codify security fatigue Orders with lessons learned**
- **Maintain operational flexibility/minimize burden for licensees**

Agenda

- **Discuss Drug Testing Today**
 - Including Regulatory Analysis & OMB Assumptions
- **Discuss Fatigue Tomorrow**
 - Including Regulatory Analysis & OMB Assumptions
- **Will Adjust Time Durations as Needed Based on Stakeholder Comments/Interest**
- **Periodic Breaks + Lunch Break ~ noon – 1pm**

Other items to note

- **Summary of meeting & participant list will be placed on web**
 - http://ruleforum.llnl.gov/cgi-bin/library?source=*&library=Part26_risk_lib&file=*&st=risk
- **Public input is sought & appreciated**
 - Staff decisions on whether to incorporate input or not will be determined outside of meeting
- **No safeguards or classified information will be discussed**
- **Please fill out feedback forms & signup sheet**
- **Stakeholder Introductory Comments**