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OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

54

December 22, 2005

DOCKET NUMBER
PROPOSED RULE 26
(70 FR 50442)

SOUTHERN
COMPANY

Energy to Serve Your World™

NL-05-2364

Secretary
U. S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Attention: Rulemakings and Adjudications Staff

Southern Nuclear Operating Company
Comments on Proposed Rule, Fitness for Duty Programs (RIN 3150-AF12)
(70 Federal Register 50442 dated August 26, 2005)

Dear Ladies and Gentlemen:

Southern Nuclear Operating Company (SNC), the licensed operator for the Joseph M. Farley Nuclear Plant, the Edwin I. Hatch Nuclear Plant and the Vogtle Electric Generating Plant, has reviewed the notice of proposed rulemaking for 10 CFR 26, "Fitness for Duty Programs," published in the Federal Register on August 26, 2005 (70 FR 50442). SNC endorses the comment letter that has been provided by the Nuclear Energy Institute (NEI) regarding the Drug and Alcohol portion of the proposed rule. SNC is concerned that the proposed Subpart F - Licensee Testing Facilities procedural requirements in 10 CFR 26.127, and quality assurance and control requirements in 10 CFR 26.137 will have a significant impact on our ability to continue onsite testing and will likely result in termination of the onsite testing programs at our plant sites.

Regarding the even more crucial issue, SNC endorses the comment letter that has been provided by NEI on the Work Hour portion of the proposed rule. SNC further offers two additional SNC-specific examples provided in the enclosure that reinforces the rule impact if the changes that have been identified by NEI are not accepted.

Sincerely,



Don E. Grissette

DEG/JMG/sdl

Enclosure: Specific Examples Regarding the Proposed Revision to 10 CFR 26

cc: Southern Nuclear Operating Company
Mr. J. T. Gasser, Executive Vice President
Mr. L. M. Stinson, Vice President - Plant Farley
Mr. H. L. Sumner, Jr., Vice President - Plant Hatch
RTYPE: CGA02.001

Template = SECY-067

SECY-02

Enclosure

Southern Nuclear Operating Company
Specific Examples Regarding the Proposed Revision to 10 CFR 26
(70 Federal Register 50442 dated August 26, 2005)

Example 1

At Southern Nuclear Operating Company, a successful and effective training practice would have to be revised. The issue is described as follows:

On a regularly basis, all operations staff that stand watch in a required licensed operator position on-shift must go through scheduled training each rotation. These operations staff members are normally on 12-hour shifts; however, during their requalification week, they are on 8-hour shifts. The training cycle begins on Monday and continues through Thursday when proficiency examinations are given. This shift staff is expected to begin their normal 12-hour shift rotation on Saturday morning and work 3 consecutive days. The problem with the proposed work hour limitations is the regularly planned remediation day of Friday. This day is used if the licensed operator is required to retake any portion of the proficiency examination. Because this is a "planned" contingency, it would not be acceptable under the provisions of the proposed rule.

S	M	T	W	Th	F	S	S	M	T	W	Th
	T	T	T	T	C	D	D	D			

- T = Training (8 hours)
- C = Contingency (no work unless remediation is necessary)
- D = Day Shift (12 hours)
- = Normal Planned Work Schedule

Example 2

At Southern Nuclear Operating Company, it has been standard practice that when on-line maintenance is performed, the single dedicated crew performs the entire evolution. This process begins with the tagging out of equipment and disassembly, continues through all required maintenance practices, reassembly, surveillance testing and concludes with the return of the equipment back to service. This practice has been found to be very beneficial because the same individuals that disassembled the equipment are the ones that do the reassembly. A single dedicated crew provides continuity throughout the entire evolution. Some of the on-line equipment maintenance, which is allowed by the Technical Specifications, last more than 7 days (EX. 14-day Allowed Outage Time for Diesel Generators at Vogtle Electric Generating Plant).

Because of the provisions of the proposed rule, if a crew works for 7 consecutive days and is unable to complete the entire evolution, a second crew would have to be brought in to complete the equipment restoration. While not having the required nexus to operational safety, this would be counter to a practice that has been found to be very beneficial to equipment maintenance and availability.

From: "Javorka, Deborah A." <DAJavork@southernco.com>
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Date: Thu, Dec 22, 2005 2:54 PM
Subject: NL-05-2364 - SNC Comments on Proposed Rule, Fitness for Duty Programs (RIN 3150-AF12) (70 Federal Register 50442 dated August 26, 2005)

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