



NUCLEAR ENERGY INSTITUTE

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May 4, 2006

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SUBJECT: Comments on NRC White Paper: Clarification of Watchstanding Proficiency Requirements for Licensed Operators (ADAMS Accession Number: ML060170090)

On behalf of the industry Licensed Operator Focus Group (LOFG), Nuclear Energy Institute (NEI)¹ provides the following comments on the NRC White Paper, *Clarification of Watchstanding Proficiency Requirements for Licensed Operators* that was presented at the November 30, 2005, NRC public meeting.

We support most of the statements presented in the NRC white paper. However, we do not agree with the staff's interpretation of 10 CFR 55.53(e) and the 10 CFR 55.4 definition of "Actively performing the functions of an operator or senior operator". The staff has indicated that only those licensed operators required by a facility's technical specifications (TS) for minimum watchstanding requirements would be allowed to take credit for quarterly watchstanding proficiency. The industry's position is that a licensee's approved plant procedures defining the normal control room crew staffing of licensed operators who meet the 10 CFR 55.4 definition meet the watchstanding proficiency requirements of 10 CFR 55.53(e). We believe that this position is supported by the regulations and by NRC staff guidance reflected in NUREG 1262. A more detailed discussion of the LOFG's interpretation of the requirements is included in the enclosure to this letter. Furthermore, since this position is consistent with current regulations and previous staff interpretations, a change that limits a licensee to only the technical specifications

¹ NEI is the organization responsible for establishing unified nuclear industry policy on matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues. NEI's members include all utilities licensed to operate commercial nuclear power plants in the United States, nuclear plants designers, major architect/engineering firms, fuel fabrication facilities, materials licensees, and other organizations and individuals involved in the nuclear energy industry.

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minimum staffing levels would be viewed by the industry as a change in the interpretation of the regulation and would warrant a backfit analysis.

We offer two additional comments to further clarify the requirements:

- On page 6, section 7 of the White Paper, specify that an active license holder can direct more than one "under direction" operator.
- On pages 6 & 7, "Special implications and clarifications for SROs supervising core alterations" section, specify that full activation of a full scope SRO is another acceptable option. We believe that this option is allowed by the statements in the white paper, but an explicit comment in this section would provide further clarification.

We appreciate the NRC's consideration of our comments on the draft white paper. If we can provide further information that would assist in resolving the comments expressed in this letter, please contact me at 202-739-8138; jwr@nei.org or Chris Earls at 202-739-8016; cxe@nei.org.

Sincerely,



Jack W. Roe

Enclosure

LOFG Position: Operator Watchstanding Proficiency

At the Licensed Operator Focus Group (LOFG) meeting on November 30, 2005, the NRC provided a draft white paper outlining their position on operator watchstanding proficiency. In the draft paper, the NRC proposed that only those licensed operators required by Technical Specifications for minimum watchstanding requirements would be allowed to take credit for quarterly watchstanding proficiency as outlined in 10 CFR 55.53(e). This position serves as the industry counter-proposal to the NRC position.

NUREG 1262 questions 252, 261, and 264 provided guidance in 1987 that has stood the test of time, experience, and inspection in the area of watchstander proficiency and, for multiple unit sites, rotation between units. In addition, the preface in NUREG 1262, page vii, fourth paragraph, states that NRC staff discussions "...may have conveyed the impression that the staff advocated minimum shift staffing, and that this confusion stems from the definition of 'Actively performing the functions of an operator or senior operator' in Section 55.4 of the regulation, which appears to tie the proficiency issue to a minimum staffing requirement in the facility licensee's Technical Specifications." The preface goes on to explain at the top of page viii that such a conveyance "...might discourage utilities from augmenting staff crews." The same page notes that the practice of staff augmentation above the minimum required by Technical Specifications "...can result in a significant safety enhancement" but cautions facilities that "...assigning a large number of operators to a shift could reduce the range of responsibilities of any one operator to a level where sufficient experience in directing shift operations and/or controls is not obtained."

Also on page viii, second full paragraph, is the statement "Facility licensees can take credit for more than the minimum number of watchstanders required by Technical Specifications provided that there are administrative controls which assure that functions and duties are divided and rotated in a manner which provides each watchstander meaningful and significant opportunity to maintain proficiency in the performance of the functions of an operator and/or senior operator as appropriate. Normally, more than one additional watchstander at each Technical Specification position would not be considered acceptable with respect to the proficiency issues."

It is this guidance that forms the conservative basis for plant procedures establishing normal control room staffing levels that have maintained public confidence and built strong control room crew teams for years. The LOFG concurs with these statements and offers the following:

- 10 CFR 55.53(e) states “If a licensee has not been actively performing the functions of an operator or senior operator, the licensee may not resume activities authorized by a license issued under this part except as permitted by paragraph (f) of this section. To maintain an active status, the licensee shall perform the functions of an operator or senior operator on a minimum of seven 8-hour or five 12-hour shifts per calendar quarter.” The LOFG finds this regulatory language to be clear and without contention.
- 10 CFR 55.4 states “*Actively performing the functions of an operator or senior operator* means that an individual has a position on the shift crew that requires the individual to be licensed as defined in the facility's Technical Specifications, and that the individual carries out and is responsible for the duties covered by that position.” The LOFG finds this statement to be clear and without contention, especially given the long-standing guidance of NUREG 1262 as stated above. Furthermore, the LOFG interprets this definition to mean that any operator or senior operator assigned to carry out license duties in the control room therefore meets the definition. Finally, the LOFG believes that the very act of standing a watch in the control room improves the proficiency “value” for an operator, and that anything less is counter to the mission of NRC licensees to protect the health and safety of the plant and public.

Plant Technical Specifications list *minimum* watchstanding requirements, just as they list minimum instrument setpoints, minimum plant administrative program requirements, minimum surveillance requirements, etc. In most cases, plants exceed the minimum requirements listed in their licensing basis simply because that approach is the prudent action, enhances safety, and makes good business sense.

Control room staffing is no exception. Plant procedures usually require more than the minimum Technical Specifications number of licensed operators to staff a control room, especially given the practice of increased human performance error-prevention tool usage, such as peer checking and self checking. For example, a single unit facility may only require one reactor operator (RO) and one senior reactor operator (SRO) as a minimum in Technical Specifications, while the procedural requirement would be to have at least two ROs, an SRO, and an SRO-licensed shift manager on staff. A dual unit common control room facility may only require a single SRO and three ROs by Technical Specifications, while the procedural requirement would be to have at least one SRO and two ROs per unit, in addition to an SRO-licensed shift manager. All of these requirements may be in addition to the staffing of a shift technical advisor (STA), who may or may not be licensed. For the purposes of this position, the STA position is not germane to licensed operator watchstanding proficiency requirements.

The definitions and statements found in 10 CFR 55 and the positions documented in NUREG 1262 have provided sound direction to licensees for nearly twenty years. The LOFG contends that the history of watchstanding proficiency practices exercised by licensees since the 1987 publication of NUREG 1262 makes an NRC RIS, GL, or white paper on the issue unnecessary. Therefore, it is the position of the LOFG that a licensee's approved plant procedures defining the normal control room crew staffing of licensed operators who meet the definition of *actively performing the functions of an operator or senior operator* suffice to meet watchstanding proficiency requirements of 10 CFR 55.53(e), and are further supported since NUREG 1262. Furthermore, since this position is consistent with the current regulations and previous staff interpretations, a change that limits a licensee to only the technical specification minimum staffing levels would be viewed by the industry as a change in the interpretation of the regulation and would warrant a backfit analysis.