



NUCLEAR ENERGY INSTITUTE

**Jack W. Roe**  
DIRECTOR, OPERATIONS SUPPORT  
NUCLEAR GENERATION DIVISION

December 21, 2006

Ms. Nancy L. Salgado  
Chief, Operator Licensing  
and Human Performance Branch  
U.S. Nuclear Regulatory Commission  
Mail Stop O-6 F2  
Washington, DC 20555-0001

**SUBJECT:** Watchstanding Proficiency

**PROJECT:** 689

Dear Ms. Salgado:

This letter is being provided to NRC staff in accordance with discussions held at the September 28, 2006, NRC/Licensed Operator Focus Group (LOFG) meeting between NRC staff and members of the LOFG. As indicated in the notes from the September 28, 2006 meeting, NEI provided a letter to NRC staff on May 6, 2006 (ADAMS Accession No. ML062480247), regarding our concerns with how the NRC staff was interpreting the 10 CFR 55.4 definition of "actively performing the functions of an operator or senior operator." Our primary concern was then, and will continue to be, ensuring that any guidance on this matter not become an undue burden such that licensees are discouraged from maintaining a contingent of operator(s) in the control room above the minimum staffing limits prescribed in our Technical Specifications (TS).

We appreciate continuing dialogue with members of your staff as this issue has evolved and your staff's efforts to understand our concerns. As you noted in the September 28 meeting minutes, the focus group representatives expressed general agreement with the concepts outlined during the meeting, but reserved final judgment until we could review the written proposal. The industry has reviewed the NRC's proposal that was provided in the meeting minutes (Attachment 1) on what licensees must do to ensure that operators in excess of the minimum staffing requirements "engage meaningfully and fully in the functions and duties of the positions required by the TS."

Ms. Nancy L. Salgado

December 21, 2006

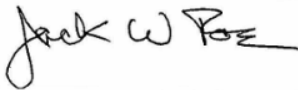
Page 2

We believe that Option (2)(b)(i) can be implemented through well constructed administrative procedures which clearly delineate how the operators are fully engaged in a meaningful manner. However, we also believe that the burden associated with Option (2)(b)(ii) will preclude its effective use by licensees. We further understand that the staff will be updating NUREG-1021 (specifically ES-605) to incorporate this information as further clarification on this matter.

From industry's review of your proposal, one addition to the example in (2)(b)(i) was identified for your consideration. We request that the staff add to the last sentence ending, "... e.g., the second SRO Control Room Supervisor/Shift Foreman on a single control room, dual unit facility, who has complete command and control of the second unit", the statement "or RO fully integrated into the operating crew and control room activities" to ensure that the intent is clear that this paragraph does apply to other positions in the control room. We also request that the staff remove "complete" from this sentence. With these changes, the industry will be in agreement with the NRC staff proposal.

We look forward to continuing meaningful dialogue on operator licensing matters with the NRC staff through public forums such as the meeting on September 28, 2006. If you have any questions regarding this matter, please contact me at 202-739-8138; [jwr@nei.org](mailto:jwr@nei.org).

Sincerely,

A handwritten signature in black ink that reads "Jack W. Roe". The signature is written in a cursive style with a prominent initial "J" and a stylized "R".

Jack W. Roe

Attachment

c: Mr. Siegfried Guenther, NRR, NRC  
Mr. Gregg Ludlum, LOFG Chairman, Progress Energy

## NRC Staff Proposal

The NRC staff acknowledged that it has since re-reviewed both the regulation and NUREG-1262, “Answers to Questions at Public Meetings Regarding Implementation of Title 10, Code of Federal Regulations, Part 55 on Operators’ Licenses,” and concluded, based on the guidance in the preface of the NUREG, that operators in excess of the TS minimum staffing requirement may maintain an active license provided they “engage meaningfully and fully in the functions and duties of the positions required by the TS.” The NRC staff offered the following specific proposal for the industry to consider:

1. If a facility licensee operates at TS shift staffing levels, then all the TS shift licensed operators receive proficiency credit.
2. If a facility operates ABOVE TS shift staffing levels, then the facility licensee should have in place the following procedural administrative controls that:
  - a) Define what positions are the minimum required “TS” positions.
  - b) For operators in excess of the minimum required “TS” positions to receive active watchstanding credit, then either:
    - i. describe how the excess licensed senior operators (SROs) and/or reactor operators (ROs) fill a position(s) that qualifies for engaging "meaningfully and fully in the functions and duties” of the analogous minimum position(s) required by TS, e.g., the second SRO Control Room Supervisor/Shift Foreman on a single control room, dual unit facility, who has complete command and control of the second unit.
    - ii. have the excess licensed SROs and/or ROs “rotate” into one of the TS minimum staffing requirement positions over the course of the quarter such that these licensed operators are “actively performing the functions of an operator or senior operator” in these positions for a minimum of seven 8-hour, or five 12-hour, shifts per calendar quarter. The excess SRO’s and ROs will only receive credit for the watches when they “rotate” into one of the minimum required TS positions.