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AFFILIATION: PA

ADDRESSEE: Dale Klein

SUBJECT: NRC 10 CFR Pt 26- Fitness for Duty, subpart I, Fatigue Management--Associated Maintenance Contractors

ACTION: Appropriate

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December 26, 2006

The Honorable Dale E. Klein
Chairman
U.S. Nuclear Regulatory Commission
Mail Stop O-16 E15
Washington, DC 20555-0001

Re: NRC 10 CFR Part 26 Fitness-for-Duty, Subpart I, Fatigue Management

Dear Chairman Klein:

I am writing to you on behalf of the Associated Maintenance Contractors (AMC). The AMC contractors employ its nuclear contract maintenance workforce through the Building Trades. The Building Trades workforce consists of 1,300,000 skilled union workers. America's contract maintenance workers are a vital part of electricity generation in our country. Their ability to service the country's reactors during outages is an integral part of the safe operations of these facilities. Nuclear generating companies indeed depend on contract worker expertise to complete their outages efficiently and competently so they have confidence their plants can return to service.

In proposed rulemaking (10 CFR Part 26), the U.S. Nuclear Regulatory Commission, however, is considering changes that could have a deleterious effect on these contract workers. They are indeed proven performers. Analyses have not yet determined that current approaches toward work hours and breaks are compromising safety. On the other hand, proposed changes in 10 CFR Part 26 could do just that. Dramatic changes in this area could make work requirements for maintenance contractors too burdensome and therefore unattractive.

While Associated Maintenance Contractors would be eager to promote changes that would enhance performance and promote yet higher levels of safety, these proposed changes provide for no such improvements.

In a December 21, 2006 letter to the NRC, the Nuclear Energy Institute (NEI) discussed its comments on the proposed rulemaking. The AMC endorses the comments and suggested changes to 26.205 discussed in NEI's letter. The AMC fully supports the comments of the NEI on work hour restrictions and break requirements aspects of this rule. The AMC supports the recommended changes to 26.205 are discussed in the NEI letter. Specifically, the AMC believes: (1) the minimum days off per shift is unnecessary and should be eliminated, (2) the 3 days off every 15 during an outage should be changed to a 34-hour break in any 9 day period, and (3) the requirement related to two or more successive outages that start less than two weeks apart should be eliminated.

I ask you and the Commission to re-evaluate these proposed changes carefully from the studied point of view of those in the industry who have firsthand experience in proven work practices. We believe those maintenance workers engaged in reactor outages over the years can indeed offer those insights, as evidenced by their long record of safety. We look forward to working with you and your colleagues in resolving these timely issues.

Sincerely yours,


T. J. Reddington
President

c:

The Honorable Edward McGaffigan Jr., Commissioner, NRC
The Honorable Jeffrey S. Merrifield, Commissioner, NRC
The Honorable Gregory B. Jaczko, Commissioner, NRC
The Honorable Peter B. Lyons, Commissioner, NRC