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NRC ISSUES FINAL RULES ON LIMITED WORK AUTHORIZATIONS, WORKER FATIGUE/DRUG-TESTING PROVISIONS

The Nuclear Regulatory Commission has approved the issuance of amended regulations regarding the issuance of limited work authorizations (LWA) for construction related to new nuclear power plants. The Commission also approved the issuance of updated “fitness-for-duty” requirements, such as work hour limits and drug and alcohol testing, at nuclear power plants. The rules will become effective following publication in the *Federal Register* later this year.

The new work authorization regulation defines “construction” that requires either an LWA, a Part 50 construction permit or a combined license. Under the final rule, no LWA, permit or license is required for activities such as site clearing, transmission line routing, excavation, road building and erecting construction-related support buildings or service facilities. An LWA, construction permit or license is required, however, for activities including pile-driving and foundation work for structures, systems or components with high importance to safe operation and security at a nuclear power plant. Activities beyond these, however, would require a full construction permit or combined license.

The new work authorization regulation allows applications for an authorization to be submitted in advance of a complete application for a construction permit or combined license. For a site where a construction permit was issued but no plant was built, the LWA application could reference an existing environmental impact statement for the site, taking into account the possible need for updated information. A draft version of this rule was published for public comment in the *Federal Register* in October 2006.

The amended fitness-for-duty regulations apply to all currently operating nuclear power plants and any future plants the NRC approves. Many of the regulations will also cover workers at construction sites for new reactors. A draft version of this rule was published for public comment in the *Federal Register* in August 2005.

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