

**From:** Barry Norris  
**To:** Diane Screnci; Marjorie McLaughlin; Nancy McNamara; Neil Sheehan; Raeann Shane  
**Date:** 08/24/2007 1:39:58 PM  
**Subject:** Strike Contingency Plan for VY

You should have been cc'd on this since there are action in the Comm Plan (Enclosure 4) if they do strike at Vermont Yankee.

If you have any questions, please call 610-337-5111

Barry

**CC:** Raymond Powell

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**Subject:** Strike Contingency Plan for VY  
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**From:** Barry Norris

**Created By:** BSN@nrc.gov

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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION I  
475 ALLENDALE ROAD  
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

August 16, 2007

MEMORANDUM TO: David C. Lew, Director  
Division of Reactor Projects

FROM: Raymond J. Powell, Chief /RA/  
Projects Branch 5  
Division of Reactor Projects

SUBJECT: STRIKE CONTINGENCY PLANNING FOR VERMONT YANKEE

On August 1, 2007, members of the International Brotherhood of Electrical Workers (IBEW), Local 300, Unit 8, voted to authorize the union leadership to call for a strike if there is no agreement by the time the labor contract expires at midnight on August 19, 2007. The union represents licensed reactor operators; non-licensed operators; maintenance, electrical, and instrumentation and controls technicians; chemistry technicians; radiation protection technicians; and other administrative personnel. Security personnel at Vermont Yankee (VY) are members of a different union and have a different contract which does not expire on the same date. The residents and DRS security staff have contacted the licensee to discuss security contingency planning.

Contract negotiations are continuing, and the licensee expects the negotiations to continue until the contract expiration date. Training of replacement personnel to staff the Operations and Emergency Response Organizations is essentially complete.

In accordance with Region I Instruction 1080.2, Revision 6, the Region I staff has discussed and reviewed the strike contingency plan for the site. Inspection procedure 92709, "Licensee Strike Contingency Plans," has been implemented to review the licensee's contingency plan, and preparations will continue to be reviewed as the August 19 contract expiration date approaches. The licensee has established contacts with local law enforcement officials and has discussed site access during a strike. The VY Senior Resident Inspector has spoken with the Union Chairman for Local 300, Unit 8, about regulations requiring NRC inspectors to have unimpeded access to the site.

The licensee's strike contingency plan addresses areas such as normal plant operations, emergency operations including emergency preparedness and fire protection, and physical security. The plan has been reviewed by Entergy management and the Plant Operations Review Committee. Technical Specification staffing requirements, including the fire brigade, are to be maintained. The licensee has produced duty rosters for the Emergency Response Organization to assure they will be able to staff and activate the Emergency Response Facilities

with managers, supervisors, and non-union employees. The licensee has determined that the VY staff will be able to operate the site without external assistance for at least 30 days. The VY staff may be supplemented by non-union personnel from the Entergy White Plains Office and other Entergy sites, as needed.

Branch 5 has developed a 24 hour shift coverage schedule for the first four weeks. The initial period will be a two-shift rotation, using 12-hour shifts. The first four days have 2 people per shift. If a strike occurs before the August 19 contract expiration date (i.e., without sufficient advance notice), the resident inspectors will provide the first 12 hours of coverage until Regional personnel arrive onsite. If 24-hour site coverage is necessary for more than 28 days, additional resources will need to be committed to ensure that other Branch commitments can be met. Volunteers have been solicited from DRP and DRS. Branch 5 personnel will continue to monitor the situation at VY. The site coverage plan will be updated weekly for a two-week look ahead. The attached contingency plan is a snapshot, current as of August 14, 2007.

Enclosures:

1. Strike Contingency Plan - Vermont Yankee
2. Preparations for Licensee Strike - Checklist
3. Vermont Yankee Strike Observation Plan for Inspectors
4. Region I Communications Plan and Notification Sequence for Declaration of Strike by IBEW, Local 300

cc:

J. Clifford  
J. Benjamin  
B. Siemel  
B. Norris  
N. Sieller

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- N. Sieller

SUNSI Review Complete: \_\_\_\_\_ BSN \_\_\_\_\_ (Reviewer's Initials)

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OFFICE	RI/DRP		RI/DRP	
NAME	BNorris		RPowell	
DATE	08/16/07		08/16/07	

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**Strike Contingency Plan**  
**Vermont Yankee**

Contract with International Brotherhood of Electrical Workers Local 300  
 expires August 19, 2007.

**Implementation:** (Reference Regional Instruction 1080.2, Revision 6)

The DRP Division Director will specify, based on DRP BC recommendations, the portions of the Regional Instruction that are to be implemented. This instruction is intended to specify coordination activities between stakeholders, and to direct the assignment of inspection resources in support of the inspection procedures. A phased approach commencing several weeks before contract expiration, and repeating each week before the potential strike date, should be used. The DRP Branch Chief (BC) for the affected site will recommend, to the DRP Division Director, the NRC resources (i.e., DRP, DRS, DNMS, PAO, NRR, etc.) to be committed to implement the activities described in the table below. Attachment 2, "Preparations for Licensee Strike - Checklist," is provided for the DRP Branch Chief (or assigned team leader) to track implementation status.

	<b><u>Action</u></b>	<b><u>Due Date</u></b>
1.	Contact licensee management and determine if the union has 'intention to strike.' Obtain the projected commencement date/time of the strike. (DRP BC, SRI).	On-going
2.	Solicit assurance from the Collective Bargaining Agent that, if a strike is to occur, NRC personnel will be permitted to freely cross the picket line so that they may perform their statutory authorities, uninhibited and without risk to their personal safety or property (DRP BC, SRI). <u><i>This should be the only time the union should be contacted.</i></u>	Complete J. Benjamin 08/08
3.	Ensure appropriate NRC staff officials are informed of the NRC preparations for an impending strike. Make periodic updates using EDO highlights. (DRP BC).	On-going Weekly updates, as info is available; began 08/08
4.	DRP, with appropriate DRS BCs, contacts licensee management to specifically discuss (Use Inspection Procedure 92709):	Complete 8/13 (RI conference call with site VP/staff)
A	Licensed operator watchbill, including individual names.	Complete M Sykes 08/06
B	Team training on a simulator for newly constituted shifts.	Complete M Sykes 08/13
C	Any proficiency training for previously inactive license holders.	Complete M. Sykes 8/6
D	Efforts by the security, emergency planning, and radiation protection departments to cope with the strike, including the logistics of getting required personnel (NRC and licensee) through picket lines.	Complete 8/13 conference call

	<b>Action</b>	<b>Due Date</b>
E	Impact of the strike on security organization staffing and required security coverage.	Complete J. Benjamin 8/13 J. Trapp 8/13
F	Contingencies made to staff those emergency organization positions normally filled by striking employees.	Complete 8/13 conference call
5.	Prepare an NRC watchbill for on-site and off-site observation of licensee actions and strike activities during the strike period. The following guidelines are recommended and are based on the assumption that the plant is either operating or recently shutdown with a significant decay heat load (DRP BC, SRI):	Complete Prepared week of 8/6.
	<u>Initial Coverage Period:</u> (if strike is called)	
A	24 hour/day coverage - in accordance with watchbill	To begin on 8/19 dayshift
B	Begin observation at least one shift prior to commencement of the strike.	To begin on 8/19 dayshift
C	Rotate NRC personnel as necessary to maintain continuous coverage and to ensure shift turnovers are monitored closely.	2 shifts/day planned for 4 weeks
D	Consider supplementing the watchbill with additional personnel as plant evolutions/performance dictate.	Strike + 24 hours
E	The duration of the Initial Period will be commensurate with the results of observing performance of each operations crew, management oversight of plant operations, and potential interference from striking personnel.	Review daily
F	Consider sending a Region I supervisor (BC or higher) to assist SRI during the initial few days of the strike.	R. Powell - 8/19-22
	<u>Extended Coverage Period:</u>	
A	Include observation of each shift turnover, major surveillance tests, and other major evolutions.	as needed
B	Begin immediately following termination of the initial coverage period.	as needed
C	Continue until termination of the strike and until satisfactory turnover of watches to the normal operating personnel has been accomplished.	as needed
6.	At least one day prior to the anticipated commencement of the strike, conduct a conference call with licensee management to discuss, at least, the following (DRP BC): -- Current outlook for the strike. -- Changes to the licensee plan for coping with the strike. -- RI plan for providing strike coverage during the strike.	Thursday, 8/16
7.	If the strike appears imminent, consider having a government vehicle delivered to the site. This vehicle will be available to NRC personnel on-site in case of threats of vandalism or problems crossing the picket line.	Per the union & VY Mgmt, NRC access will be unimpeded; Powell taking government car

	<b>Action</b>	<b>Due Date</b>
8.	NRC personnel specified on the watchbill (see item No. 4) depart for the site in preparation for strike observation, allowing time to get badged for unescorted access prior to their watch. Commence strike observation in accordance with the established watchbill (Inspectors) and requirements of Inspection Procedure 92711.	as needed
9.	The on-site observation team will maintain at least twice daily contact with the responsible RI DRP Branch Chief regarding plant operations during the strike (SRI).	Beginning August 19
10.	Maintain contact with licensee management and State/local officials as appropriate throughout the strike period (SRI, DRP BC).	Ongoing
11.	The observation watchbill will shift to extended coverage as directed by the DRP Branch Chief (DRP BC).	as needed
12.	Perform Inspection Procedure 92712 - Resumption of Normal Operations After a Strike (DRP BC).	After strike ends
13.	Inspection effort documentation will be incorporated in a routine resident inspection report. If the strike is of unusual significance, a special report covering initial strike observations may be directed.	9/30

### **Preparations for Licensee Strike - Checklist**

Site: Vermont Yankee Strike Commencement Date: August 19, 2007 (Potential)

<u>Action Item</u>	<u>Date</u>	<u>Initial</u>
1. Contact Licensee Management to verify strike intentions	<u>Ongoing</u>	<u>N/A</u>
2. Contact Collective Bargaining Agent to ensure striking personnel will not interfere with NRC representatives (DRP BC, SRI).	<u>8/08/07</u>	<u>JB</u>
3. Inform NRC staff officials. Use EDO highlights (DRP BC).	<u>8/08/07</u>	<u>RP</u>
4. Conference call with licensee management to discuss licensee preparations (DRP BC).	<u>8/13/07</u>	<u>RP</u>
5. Prepare NRC on-site watchbill (DRP BC, SRI).	<u>8/06/07</u>	<u>BN</u>
6. Conference Call one day prior to strike with Licensee.	<u>8/16/07</u>	<u>RP</u>
7. Deliver Government vehicle and NRC hardhats to site (DRP).	<u>8/19/07</u>	<u>_____</u>
8. NRC inspectors travel to site and implement watchbill.	<u>8/19/07</u>	<u>_____</u>
9. Maintain contact (at least twice daily) between on-site observation team and Regional Office (SRI).	<u>ongoing</u>	<u>_____</u>
10. Maintain contact with the licensee management and State/local officials (SRI, DRP BC).	<u>ongoing</u>	<u>_____</u>
11. Shift watchbill to extended coverage period, as required (DRP BC).	<u>9/19/07</u>	<u>_____</u>
12. Schedule and perform required supplemental inspections upon resumption of Normal Operations	<u>as needed</u>	<u>_____</u>
13. Prepare an inspection feeder as part of resident inspection report (SRI).	<u>9/30/07</u>	<u>_____</u>

## **Vermont Yankee Strike Observation Plan for Inspectors**

The inspection will be conducted per the requirements of Inspection Procedures 92709, 92711, and 92713. MC 0612 will be the guidance utilized for determining the thresholds of findings such as greater than minor. In addition, findings which are considered to be potentially greater than minor should be evaluated consistent with MC 0609, "Significance Determination Process (SDP)." Observations, findings, or potential violations will be discussed daily with the SRI. Findings of potential risk significance should be discussed with the SRI/RI at the time of identification or as soon as possible. SRI/RI will brief Branch Chief, as needed.

### **I. Prerequisites for inspectors**

- a. Review the VY Management Alternative Plan (aka Strike Contingency Plan)
- b. Ensure site access training/badging complete
- c. Ensure that TLD issued
- d. Review NRC Inspection Manual Chapters 92709 and 92711
- e. Provide VY Office Assistant (Mandy Rancourt) with name, hotel number, cell phone number, and room number prior to strike

### **II. On-shift inspection expectations**

Do not solicit information in any manner that would give the appearance of interfering or diagnosing the issues under negotiation. Do not question or enter into discussion with the union rank and file regarding mood or sense for acceptability of the contract.

Maintain the NRC Observation Notebook. Keep your observations and activities on the bottom page, and your summary of any assessments / findings on the top page.

Devote time on each shift to observing control room activities or accompanying licensee contingency staff on the conduct of their rounds. The inspector should limit the length of any discussions held with shift personnel working at new positions so as not to distract them from their duties. Collect observations for the areas identified below, and consider the following items:

- a. Are required positions being properly staffed?
- b. Are there any human performance issues due to fatigue, overtime use, unfamiliarity with activities ?
- c. Were any surveillance or maintenance activities missed?
- d. What work activities are being deferred (PMs, etc.) - number and significance of work?
- e. Are there any problems getting specialty maintenance workers ("experts"), such as qualified welders, fire brigade leaders?
- f. Has the number or significance of CRs initiated changed, and are significant CAPs being addressed and closed out appropriately?
- g. Are workoff rates trending in an adverse direction, and if not, is this at the expense of something else?
- h. Are operators meeting requalification commitments?

**A. Control Room**

- Observe and document in the log the quality of the shift turnover.
- Observe and document observations of maintenance and/or surveillance activities during the shift
- Verify minimum shift staffing in accordance with plant technical specifications and 10 CFR 54(m)
- Observe and document the quality of pre-job briefs for surveillance and or maintenance activities
- Review the condition reports generated for each unit over the shift and assess and document the quality of operability evaluations and or short-term corrective actions. Give particular attention to Technical Specification adherence.

**B. Security**

- Spend some time observing activities in the Central Alarm Station and/or Secondary Alarm Station. Review the security loggable events over the last twenty-four hours
- Tour the protected area to ensure the following: problems are being identified, security personnel are on watch and maintaining coverage in accordance with YELLOW Homeland Security Threat Level, and personnel are performing functions as defined

**C. Plant Tours**

- Observe and document observations of the on-shift chemistry technician and the on-shift health physics technicians
- Observe one non-licensed operator during plant rounds or complex system alignments
- Once every shift enter into the radiologically controlled area to observe radwaste processing, problems are being identified and proper radiological boundaries and controls are present

**D. Miscellaneous activities**

- Brief Senior Resident Inspector near the end of the shift on any significant observations
- Once a day observe operations in the VY Strike Contingency Center (location TBD)

**Documentation and Information Requests**

Documents and information requested during the inspection will be listed, tracked, and documented by the individual inspectors and provided to the SRI/RI when submitting inspection documentation.

**Inspection Report Documentation Format**

The outline of Manual Chapter 0612 is to be followed. Any documentation for the inspection report must be provided to the SRI/RI by September 30, 2007.

**STARFIRE Information:**

Inspection time charges to STARFIRE = Feeder to Inspection Report 50-271/2007-004

Preparation Time = GIP, 50-271/2007-004

Inspection Time = OA, IP 92709, 92711, 92712, 50-271/2007-004

Documentation Time = GID, 50-271/2007-004

Estimated inspection hours for this inspection procedure is approximately 250 hours, and includes all DRS/DRP efforts. This estimate is based upon 40-50 hours per week for 4 to 6 weeks. Some of the inspection effort will be counted toward other ROP baseline inspection requirements

**Site Contacts**

**Licensee:**

(b)(6)

[Redacted area]

**NRC:**

Beth Siemel or Jamie Benjamin

Resident Office: (802) 257-4319/4310, In-plant extension x5144

(b)(6)

[Redacted area]

**Region I Communications Plan and Notification Sequence  
for Declaration of Strike by IBEW, Local 300**

**Communications Team for Vermont Yankee Strike Contingency Planning**

<b>Time Sequence</b>	<b>ACTION</b>	<b>Responsible Organization</b>
When strike called	Region I staff, Branch Chief issue PN (if weekend, on first business day)	R. Powell / PB 5 staff
Same day	Calls to VT contingent (Jeffords, Leahy) - share NRC perspective and planned NRC actions; relate expected questions	OCA - R. Shane, for DC offices SLO - M. McLaughlin, for Congressional reps
Same day	Call States of Vermont, New Hampshire, and Massachusetts	SLO - M. McLaughlin
Same day	Respond to media interest, as needed	PAO - D. Screnci

**Background for Stakeholder Communications:**

Labor contracts with the International Brotherhood of Electrical Workers (IBEW), Local 300, Unit 8, and Entergy expire on August 19, 2007. These contracts cover workers in the operations, maintenance, radiation protection, and chemistry organizations.

On August 1, 2007, VY members of IBEW, Local 300, authorized their leadership to call a strike if there is no agreement to renew the contract that expires on August 19, 2007. Negotiations are ongoing to reach a new agreement, although it is not clear whether an agreement will be reached before the August 19 expiration date.

**KEY POINTS**

- NRC is responsible to assure the plant is operated safely and has dedicated significant resources to assure safe operations. Other plants have experienced strikes previously, with no reduction in safety of operations. This is not a unique occurrence.
- NRC has made preparations to provide increased coverage by inspectors during any job action, including 24 hour shift coverage for the first 2 weeks.
- NRC has reviewed and verified licensee preparations, including adequate coverage of operators, security, and emergency preparedness positions.

## QUESTIONS AND ANSWERS

- 1) How will a strike affect operations at the plant?

Answer: Typically such a work action makes access to the plant difficult for workers and results in many not reporting for work. Management and other non-bargaining unit personnel may perform work activities in place of the striking workers. Non-essential work may be deferred. Activities required by plant technical specifications will continue, to be performed by non-striking workers. NRC continues to closely monitor plant operations and may augment the onsite inspection staff.

- 2) Will the plant continue to operate if there is a strike?

Answer: The licensee continues to be responsible for assuring safe operation of the facility, and may continue to operate the plant.

- 3) What is the NRC doing about the strike?

Answer: The NRC is closely monitoring strike contingency planning, and will go to 24-hour site coverage if a strike is called. The NRC will not intervene in the negotiations process, which is solely between the licensee and the union.

- 4) How will the NRC assure the plant is safely operated?

Answer: NRC will closely monitor plant operations, including 24-hour coverage onsite (for the first 2 weeks) if there is a strike. Long-term NRC coverage will be determined as the strike progresses.

- 5) What are the next steps? Where does NRC go from here?

Answer: NRC is monitoring the status of labor contract negotiations and the licensee's planning for any potential job action. Region I is also keeping stakeholders informed of the status of NRC monitoring activities.