



Enclosure 1

Part 26 Subpart I

Implementation Status on September 16, 2009

DATED January 19th, 2010



Part 26 Subpart I Implementation Status

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Part 26 Subpart I Implementation

Agenda

- | | |
|-------------|--|
| 1:00 – 1:15 | Welcome/Introductions |
| 1:15 – 2:00 | - Purpose
- Status of NRC Subpart I Activities
- Other items |
| 2:00 – 2:15 | Break |
| 2:15 – 3:45 | Industry and Public Comments |
| 3:45 – 3:55 | Summary |
| 3:55 – 4:00 | Closing Remarks |



Part 26 Subpart I Implementation

Purpose

- Provide status of NRC activities related to our efforts regarding Subpart I
- Understand from stakeholders the progress of industry implementation of Subpart I, including any challenges associated with implementation



Part 26 Subpart I Implementation

Status

1. Engage the industry and public to solicit feedback regarding efforts to implement Subpart I
 - Will attend the monthly ROP meetings



Part 26 Subpart I Implementation

Status

2. Provide training to NRC inspectors at the Resident Inspector Counterpart Meetings
 - Complete for all Regions



Part 26 Subpart I Implementation

Status

3. Support an NEI Fatigue Management Implementation Workshop August 12-13, 2009 in St. Louis
 - Complete

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Status

4. Accelerate staff's review of technical specifications amendment requests related to managing fatigue
 - Ongoing
 - TSTF 511, Eliminate Working Hour Restrictions from TS 5.2.2 to Support Compliance with 10 CFR Part 26 is currently available

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Status

5. 50.54(p) Security Plan Reviews

- Complete
- NSIR staff review is not required prior to change
- NSIR staff review must be conducted within 2 months after the change is made

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Status

6. Relax the April 29, 2003, NRC Order regarding security officer work hour controls
 - Complete
 - Letter dated June 9, 2009; ADAMS accession number: ML091060582:
 - Relaxation upon receipt of a licensee letter of Subpart I implementation
 - Relaxation on October 1, 2009 for all licensees subject to Part 26 Subpart I

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Status

7. Enhance Inspection Manual Chapter 0612, Appendix E to include Subpart I examples
 - Complete
 - Manual Chapter currently has 2 screening examples.

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Status

8. Perform a Temporary Instruction (TI) inspection of Subpart I requirement at all utilities
 - Planned
 - A temporary instruction is planned to be completed within one year of implementation
 - Planned to be performed for each utility

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Status

9. Conduct an inspector training development session for implementing inspection procedures.
 - Complete
 - A temporary instruction is planned to be completed within one year of implementation
 - Planned to be performed for each utility

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Status

10. Minimize unnecessary impact on schedules of covered individuals during resolution of an inspector's questions
- Ongoing
 - One aspect: time period between an evolutionary Subpart I observation and finding
 - Staff will be engaged to understand more about industry concerns with this issue

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Status

11. Implement a review panel to ensure regulatory consistency
 - Process in place

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Status

12. Make more extensive and timely use of the Part 26 Frequently-Asked-Questions (FAQ) website
- Ongoing
 - Questions submitted via the FitnessForDuty.Resource@nrc.gov email address or the Part 26 "Contact Us" web page regarding fatigue management are targeted for reply in 10 days or less
 - If appropriate, the question and response will be posted to the Fitness-for-Duty Frequently Asked Question web page

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Status

13. Make Subpart I related draft inspection procedures and inspection manual chapters available
- Planned
 - An NRR Temporary Instruction and Inspection Procedures to be finalized in August 2009
 - The procedures will be made available to the public prior to August
 - Procedures designated security-related information will not be released

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Status

14. Address potential Subpart I implementation and ROP integration issues
- Ongoing
 - After October 1st staff will attend the monthly ROP public meetings



Part 26 Subpart I Implementation

Annual Reporting

- FitnessForDuty.Resource@nrc.gov
- Request Digital Certificates to access the Electronic Information Exchange (EIE) system

Part 26 Subpart I Implementation

Restorative Rest

- Sleep is the only solution
- Managing Fatigue

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Minimum Days Off

- Remember, for anyone onsite for 7 days or longer MDO apply
- Plan your schedules going into an outage to include MDO
- Designing schedules to have periods that are shorter than 7 days so that individuals do not receive MDO is not compliant.



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Waivers

- Granted for circumstances that cannot be reasonably controlled

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Waivers

- An operations shift manager determines that a waiver is necessary to prevent a condition adverse to safety
- A security shift manager determines that a waiver is necessary to maintain site security

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Incidental Duties

- Unscheduled work
- Performed offsite
- Exceed 30 minutes?
 - No longer incidental duties
 - Work period
- Scheduled participation in scheduled meetings is a work period, not incidental duties

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Reset From Deviations

- It is not appropriate to use the Reset From Deviation guidance in NEI 06-11 section 7.5, when there is no deviation.
- If a person is taken off of work hour controls they must transition back to covered duties per NEI 06-11 rev 1 section 7.3

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Fitness-for-Duty

- The current concept of FFD necessitates a joint worker-employer responsibility.



Questions ?????