UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

SECRETARY

December 29, 2010

David Lochbaum
Director, Nuclear Safety Project
Union of Concerned Scientists
P.O. Box 15316
Chattanooga, TN 37415

Dear Mr. Lochbaum:

The U.S. Nuclear Regulatory Commission (NRC) is pleased that you will participate in a public Commission meeting on implementation of Part 26, February 8, 2011, at 9:00 a.m. The meeting will be held in the Commissioners' Conference Room on the first floor of the NRC's Headquarters building at One White Flint North, Rockville, Maryland. The Commission is interested in your views, representing UCS on implementation of 10 CFR Part 26, Subpart I. I am enclosing a copy of the draft meeting agenda for your information (enclosure 1). My staff will keep you informed of any updates to the agenda.

To assist the Commission in preparing for the meeting, please e-mail any written material, including slides/viewgraphs, to Ms. Rochelle Bavol and Ms. Sandy Joosten (**rochelle.bavol@nrc.gov** and **sandy.joosten@nrc.gov**) in the Office of the Secretary, by February 1, 2011, so that it can be distributed to the Commission for review in advance of the meeting. Enclosed are guidelines for slides, if you choose to use them (enclosure 2). PowerPoint is the preferred format, but other electronic presentation formats may be used. This Commission meeting will be webcast live at the Web address: **www.nrc.gov.** If you intend to use slides, they will also be posted on the NRC website prior to the meeting. If you have any questions, please contact Ms. Bavol at 301-415-1651.

Your presentation at the Commission meeting should be based on the assumption that Commissioners are familiar with the content of your written material. Please plan your oral presentation for 10 minutes, discussing the important points on which you wish to focus the Commission's attention.

The NRC Headquarters building is located opposite the White Flint Metro Station on Rockville Pike and Marinelli Drive, Rockville, Maryland. The White Flint Metro Station is on the Red Line of the Washington area subway system. Reserved visitor parking for Commission guests is available. If you wish to use reserved parking, please notify Ms. Bavol in advance. If reserved parking has been arranged, please check-in with the security staff at the entrance to the NRC campus on Marinelli Drive when you arrive. A Security Guard will call for an escort. Please

note that visitors will be screened through metal detectors, will have their packages x-rayed, and will be required to present a picture identification card prior to signing in at the registration desk.

Sincerely,

Annette L. Vietti-Cook
Secretary of the Commission

Enclosures:
1. Draft Agenda
2. Briefing Visuals Guidance

Draft: 12/29/10

SCHEDULING NOTE

Title: **BRIEFING ON THE IMPLEMENTATION OF PART 26**

Purpose: To provide the Commission with a discussion of the implementation and requested changes to 10 CFR Part 26, Subpart I.

Scheduled: **February 8, 2011**
9:00am

Duration: Approx. 3 hours and 20 minutes

Location: Commissioners' Conference Room OWFN

Participants: **Presentation**

External Panel **50 mins.***

Industry Management Representative
Anthony Pietrangelo, Senior Vice President and Chief Nuclear Officer, Nuclear Energy Institute 10 mins.*
(Note: NEI submitted an enforcement discretion request and PRM-26-5.)
Topic: Industry's perspective on implementation of 10 CFR Part 26, Subpart I, including unintended consequences as seen by plant management.

Plant Staff Representatives
Mitch Taggart, President, Professional Reactor Operator Society (PROS) 10 mins.*
(Note: Concerned about the impact on quality of life. Submitted PRM-26-3.)
Erik Erb, Security Officer, Nine Mile Point 10 mins.*
(Note: Concerned about the financial impact. Submitted PRM-26-6.)
Topic: Implementation of 10 CFR Part 26, Subpart I, and its impact on plant safety, from the perspective of personnel subject to work hour regulations.

Scientific/Technical Representative
David Dinges, PhD, University of Pennsylvania School of Medicine 10 mins.*
Topic: Feedback on 10 CFR Part 26, Subpart I, as it compares to the best, current fatigue science.

Public Interest Representative
David Lochbaum, Director, Nuclear Safety Project, Union of Concerned Scientists 10 mins.*
Topic: Public interest perspective on implementation of 10 CFR Part 26, Subpart I.

Commission Q & A **50 mins.**

Break **5 mins.**

NRC Staff Panel **45 mins.***

Bill Borchardt, Executive Director for Operations
Eric Leeds, Director, NRR

David Desaulniers, Senior Technical Advisor for Human Factors, NRO 15 mins.*
Topic: 10 CFR Part 26, Subpart I: development, rationale, and objectives with a focus on cumulative fatigue management.

Kriss Kennedy, Director, Division of Reactor Projects, RIV 15 mins.*
Topic: NRC field observations on the implementation of 10 CFR Part 26, Subpart I by industry, including unintended consequences.

Fred Brown, Director, Division of Inspection and Regional Support, NRR 15 mins.*
Topic: Current staff actions, and upcoming activities related to 10 CFR Part 26, Subpart I. Staff assessment of the effectiveness of the rule, and proposed staff actions.

(Additional staff at the table to answer questions related to rulemaking, as needed: Shana Helton, Rulemaking and International Projects Branch Chief, NRR)

Commission Q & A **50 mins.**

Discussion – Wrap-up **5 mins.**

*For presentation only and does not include time for Commission Q & A's

Documents:
- Part 26 Commission Paper: Expected to EDO by 12/31/10 and to the Commission January 14, 2011.
Other background material due to SECY January 25, 2011.
Slides due to SECY: February 1, 2011.

Enclosure 2

PRESENTATION TITLE
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on white background

Date of Briefing

Your name, title, office

Arial Black 32

Slide Title – Arial Black 36

- Text (Arial Black 32) on white.
- Top and Side margins 1 inch min.
- Bottom margin 2 inch min.
- Number pages
- Explain acronyms or include a separate slide with list