

From: paul.west@exeloncorp.com
Sent: Wednesday, December 29, 2010 1:18 PM
To: Rulemaking Comments
Subject: NRC-2010-0304

December 29, 2010 (3:00pm)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

I'm glad to have the opportunity to address the recent changes to work hour rules (WHR's) for covered nuclear workers. As a part of LaSalle Station's operations department, the rules have had a considerable impact on my life already, and I have found that I was not nearly the only person hoping to have such a chance to petition for their revision or removal. I'd like to illustrate why I think the changes have been completely counterproductive, and need to be revisited.

There are several points I would like to make about the work hour rules portion of the new FFD rules, the first being that the rules that are supposed to make workers better rested and more able to focus on the task at hand, in fact sometimes have the opposite effect. For example, having a day off while on day shift during an outage is a good way to recharge and allow a worker to refocus, but half or more of the affected employees work 12 hour midnights. In theory, a "day off" on midnights should have the same effect, but in practice, I find myself tiptoeing around the house at night trying not to disturb my family while I struggle to find a way to stay awake during the wee hours. If I give in and go to bed "early", I interrupt my circadian rhythm and I feel worse when I go back to work than if I would have worked it. This is especially pronounced during the 2 "days off" periods during the outage.

My second point is that the work hour rules are too cumbersome to track. I work a rotating shift schedule that is a hybrid of 8 hour and 12 hour days. The new requirements of a 6 week rolling average and how this applies to an 8, 10 or 12 hour worker are convoluted at best and sometimes outright ridiculous. There is a scenario where a worker can work a few 12 hour shifts with some 8 hour shifts scheduled later in the cycle that would keep him below the 10 hour worker threshold. If the worker calls in sick for one of his 8 hours shifts, that could bump his average up to the point of moving him into a 10 hour worker and causing him to violate the new restrictions by not coming in to work! These rules have caused me on a personal level to have to adjust to a new lifestyle of coming into and going home from work at 0300. In 10 years of working rotating shifts, I have left or went home at this absurd hour 2 times until the new rules went into effect. Now it is almost routine to do so. The reason why I am coming and going at this time is the new rules won't let you have only 8 hours off between shifts, so we have "split" the shift and tacked it on to the midnight or afternoon shift. I end up working these so I will be low enough on the list to not get forced at some other time which might be more inconvenient, if that is possible. Working the 1500-0300 or the 0300-1500 has been like taking a beating compared to just working a double. For some reason it messes up my sleep pattern more than working a double shift.

My third point is the adverse effect on the level of skills and knowledge of nuclear plant workers. The nuclear power industry prides itself in having the most experienced and highly trained workers to maintain and operate US nuclear facilities, but the new work hour rules place this distinction in jeopardy. I know the Commission has no interest in how much money nuclear plant workers make. I agree that pay should not be the Commission's concern, but I believe that the loss of knowledge and skills involved with the loss of income should be of concern. I'm sure the Commission recognizes the fact that people come to work at nuclear facilities to support their families as best they can, and it is for that reason that refuel outages can no longer attract the contractors who are the most highly skilled and experienced. These contractors are in demand in other industries even during this recession period because they do have the knowledge and skills it takes to perform in a nuclear plant. Now they can make more money elsewhere by not having to take the days off required by the new FFD rules and it seems they are now choosing to work elsewhere. Before these rules went into effect I had never heard a fellow operator discuss moving to another department or industry, but now it is

commonplace. The operators who are looking elsewhere have between 5 and 25 years in operations, and all of their knowledge and experience will be lost if they go into another job. You can make significantly more money doing other work for a lower hourly wage than you can as an affected employee because of the new WHR's. Several people in this department have already applied elsewhere.

My fourth point is the WHR's have actually caused people to work more compulsory overtime. Before the new WHR's, forces (compulsory overtime) only happened around the holidays, emergent plant conditions and people calling in sick. Now forces are routine. There is rarely a week that goes by that someone is not forced for overtime that someone else is willing to work, but cannot due to the new WHR's. In the past there were the people who were hungry for overtime and those who were not. The people who were hungry were usually relatively younger and more able to work the extended hours and made preparations to work them. The people who didn't like to work overtime were usually older or had other things going on in their lives that did not support odd hours. Now the company ends up forcing a guy on short notice who has not slept well before his shift because the guy who slept all day before he came in is ineligible because of some shift he worked 2 weeks ago. So the end effect is instead of having well rested, content workers you have less well rested, disgruntled workers working emergent as well as planned overtime.

While I do not think the entire ruling needs to be scrapped, some requirements such as the 10 hours off between shifts, 34 hours off in 9 days and the so many days off in a rolling 6 week period that varies as to how many hours average you work should be eliminated along with the different online/offline outage hours. These are the rules that have created confusion and hardship for the nuclear industry as a whole. I believe that the 72 hours in 7 days and 24 in 48 rules were adequate to ensure the health and safety of the public. I do believe there should be a mechanism for self declaration of fatigue and also for the evaluation of worker fatigue, because one cannot always predict the effects of the odd hours we work on ones body.

I would like to again thank the Commission for taking time to read my comments on this matter and would like to say that I applaud the Commission's attempt at enhancing the safety of the public by attempting to ensure that the workers of this nations nuclear facilities are better rested, but I think these new rules have had unforeseen consequences and should be reviewed.

Thank you,
Paul West
Equipment Operator
LaSalle County Generating Station

***** This e-mail and any of its attachments may contain Exelon Corporation proprietary information, which is privileged, confidential, or subject to copyright belonging to the Exelon Corporation family of Companies. This e-mail is intended solely for the use of the individual or entity to which it is addressed. If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, distribution, copying, or action taken in relation to the contents of and attachments to this e-mail is strictly prohibited and may be unlawful. If you have received this e-mail in error, please notify the sender immediately and permanently delete the original and any copy of this e-mail and any printout. Thank You. *****

Received: from mail1.nrc.gov (148.184.176.41) by TWMS01.nrc.gov
(148.184.200.145) with Microsoft SMTP Server id 8.2.247.2; Wed, 29 Dec 2010
13:17:39 -0500

X-Ironport-ID: mail1

X-SBRS: 5.3

X-MID: 28715673

X-IronPort-Anti-Spam-Filtered: true

X-IronPort-Anti-Spam-Result:

AIMBAK8JG03GHe4FmWdsb2JhbACCIqlvAQEBAQEICwoHESS/LYVKBIRIiUI

X-IronPort-AV: E=Sophos;i="4.60,245,1291611600";
d="scan'208,217";a="28715673"

Received: from webmail.exeloncorp.com (HELO ceco.com) ([198.29.238.5]) by
mail1.nrc.gov with ESMTP; 29 Dec 2010 13:17:38 -0500

Received: from ([10.121.132.83]) by ccclxsecure01.ceco.com with ESMTP id
1xh9wh1.141819487; Wed, 29 Dec 2010 12:17:37 -0600

Received: from CCCMSCON01.energy.power.corp ([130.197.106.20]) by
CCCMSWSMTP01.energy.power.corp with Microsoft SMTPSVC(6.0.3790.4675); Wed,
29 Dec 2010 12:17:34 -0600

Received: from cccmsxch16.energy.power.corp ([130.197.160.44]) by
CCCMSCON01.energy.power.corp with Microsoft SMTPSVC(6.0.3790.4675); Wed, 29
Dec 2010 12:17:35 -0600

X-MimeOLE: Produced By Microsoft Exchange V6.5

Content-Class: urn:content-classes:message

MIME-Version: 1.0

Subject: NRC-2010-0304

Date: Wed, 29 Dec 2010 12:17:34 -0600

Message-ID:

<8E4A6208EE78854E9BB7C17124BF4D41E919D2@cccmsxch16.energy.power.corp>

X-MS-Has-Attach:

X-MS-TNEF-Correlator:

Thread-Topic: NRC-2010-0304

Thread-Index: AcunhKpL9IH1j/aSSmOSliPwqROISg==

From: <paul.west@exeloncorp.com>

To: <Rulemaking.Comments@nrc.gov>

Return-Path: paul.west@exeloncorp.com

X-OriginalArrivalTime: 29 Dec 2010 18:17:35.0120 (UTC) FILETIME=[AAAD5900:01CBA784]

Content-Type: multipart/alternative;
boundary="----_=_NextPart_001_01CBA784.AA5DBB73"