

PRM-26-5
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Progress Energy

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USNRC

January 5, 2011 (9:00am)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Serial: RA-11-001
January 4, 2011

Secretary, U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
ATTN: Rulemakings and Adjudications Staff

SUBJECT: Comments on Petition for Rulemaking 10 CFR Part 26,
Docket ID - NRC-2010-0304

Ladies and Gentlemen,

Progress Energy appreciates the opportunity to provide the enclosed comments on the petition for rulemaking submitted on behalf of the nuclear industry by NEI dated September 3, 2010.

Please contact Donna Alexander at (919) 546-5357 if you have any questions.

Sincerely,
Donna Alexander
Nuclear Regulatory Affairs

dba
Enclosure

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Enclosure

Comment #	Topic	Progress Energy Comments
1	Complexity of the Minimum Days Off (MDO) portion of the rule.	<p>Progress Energy concurs with NEI's statement regarding the complexity of the minimum day off rule. Following are some specific examples regarding implementation problems:</p> <p>(1) Inadvertantly slipping into a different shift category which requires additional days off. By working a couple of extra hours each day, a worker can move from a 10 hour shift to a 12 hour shift (i.e. Average shift length changes from 10.9 to 11.1 hours) requiring them to average of 2.5 days off/week vice 2.0 days off/week.</p> <p>(2) Critical nature of the distribution of days off. Progress Energy has had individuals who never exceeded working 5 days in any given calendar week, but because the tracking software is programmed on a rolling 42 day evaluation period and they were off on Tuesday and Wednesday on Week 1 and then switched to Wednesday and Thursday off for Week 6, they found themselves in violation.</p> <p>(3) The additional administrative burden associated with software entries to ensure personnel compliance with the rule is a distraction for the first line supervisors and can delay getting assistance from off-shift personnel to resolve a problem in the plant.</p> <p>(4) Inadvertant violations of the MDO portion of the rule accounts for the majority of exceedences for our company. Covered workers cannot cognitively process this limitation and have had difficulty with this rule during shortened evaluation periods and in the post outage transition from fixed to rolling evaluation periods.</p>
2	Elimination of 8-, 10-, 12-hour shift schedules	<p>The minimum day off requirements associated with these schedules have contributed to less flexibility in worker schedules. The popular "nuclear-nine" schedule, predominantly used by our company prior to the rule change, has minimal margin to the minimum day off requirements compared to a 5X8 schedule or a 4X10 schedule. This has resulted in forcing some workers to work a 4 X 10 schedule who would have preferred the "nuclear-nine" schedule. This contributes to decreased employee morale and could be counterproductive to fatigue mitigation because people are forced to work longer days, yet still fulfill obligations outside of work.</p>

3	60 day outage rule	While this portion of the rule may prevent protractive periods of longer work weeks for a few people, many other's performing risk significant work can move from unit to unit and end up working on outage rules essentially the entire calendar year. This seems to be an arbitrary provision of the rule that adds very little benefit to managing fatigue. Not only is it possible to work outage hours at different units, but the current rule would allow a worker to work multiple back to back outages at a single unit provided that the unit output breaker closed in between the outages.
4	Addition of an exception to address suspension of work hours due to acts of nature or disasters that restrict access to the site by relief personnel	Progress Energy supports this request. Brunswick Steam Electric Plant recently submitted an exemption request similar to the one issued earlier this year for South Texas Project. Even though this model exemption for South Texas Project was approved by the NRC, a similar request by Florida Power and Light has yet to be approved. Continuing to develop and approve these exemptions on a unit by unit basis is an inefficient use of industry and NRC resources.
5	Change in the definition of unit outage	If it is not possible to eliminate the minimum day off requirements during outages, Progress Energy supports a change that would allow a licensee to start personnel on "outage rules" at least one week in advance of a planned outage and maintain "outage rules" until the unit has returned to 75% reactor power following reconnection to the grid. This will allow more flexibility in managing the change from on-line requirements to outage requirements and vice-a-versa, which supports the fatigue management objective by allowing personnel to gradually alter their schedules rather than make an abrupt change with no acclimation period.

Rulemaking Comments

From: Alexander, Donna [Donna.Alexander@pgnmail.com]
Sent: Tuesday, January 04, 2011 5:11 PM
To: Rulemaking Comments
Subject: Comments on Docket No. PRM-26-5; NRC-2010-0304; Petition for Rulemaking 10 CFR Part 26,
Attachments: 11-001 Alexander.- NRC Comments on Petition for Rulemaking 10 CFR part 26.pdf

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Subject: Comments on Docket No. PRM-26-5; NRC-2010-0304; Petition for
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