

May 16, 2011

MEMORANDUM TO: Undine Shoop, Chief
Health Physics and Human Performance Branch
Division of Inspection and Regional Support
Office of Nuclear Reactor Regulation

FROM: Michael Boggi, Sr. Human Factors Engineer **/RA/**
Health Physics and Human Performance Branch
Division of Inspection and Regional Support
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF PUBLIC MEETING TO DISCUSS
IMPLEMENTATION GUIDANCE FOR CUMULATIVE FATIGUE
REQUIREMENTS THAT WILL BE BASED ON A MAXIMUM 54
HOUR PER WEEK ROLLING AVERAGE

On April 27, 2011, the Nuclear Regulatory Commission (NRC) held a public stakeholder meeting regarding implementation guidance for the proposed alternative to the minimum day off (MDO) requirements in 10 CFR Part 26, Subpart I, "Managing Fatigue." The purpose of this meeting was to allow interested stakeholders an opportunity to meet with the NRC staff to discuss concepts and specific details that should be included in guidance for implementing the proposed alternative. The proposed alternative is based on individuals working a maximum of 54 hours per week, using a rolling average.

The meeting was noticed on April 13, 2011. The notice is available electronically at the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams/web-based.html> where the public can access the text and image files of NRC's public documents in the NRC's Agencywide Document Access and Management System (ADAMS). The meeting notice can be found under accession number ML11102A071.

The meeting participants included NRC staff and contractors, members of the power reactor licensee and vendor community, and representatives from the Nuclear Energy Institute (NEI) and the International Brotherhood of Electrical Workers (IBEW). These participants are listed in Enclosure 2. Enclosure 3 contains the meeting agenda.

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CONTACT: Michael Boggi, NRR
 301-415-5309

Enclosures: 1. Meeting Summary
 2. Meeting Attendance List
 3. Agenda

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OFFICE	DIRS/IHPB	IHPB/BC
NAME	MBoggi	UShoop
DATE	5/09/2011	5/16/2011

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Summary of April 27, 2011, Public Meeting Regarding 10 CFR Part 26 Subpart I Implementation Guidance

On April 27, 2011, the Nuclear Regulatory Commission (NRC) held a public stakeholder meeting regarding implementation guidance for the proposed alternative to the minimum day off (MDO) requirements in 10 CFR Part 26, Subpart I, "Managing Fatigue." The purpose of this meeting was to allow interested stakeholders an opportunity to meet with the NRC staff to discuss concepts and specific details that should be included in guidance for implementing the proposed alternative. The proposed alternative is based on individuals working a maximum of 54 hours per week, using a rolling average.

The meeting was noticed on April 13, 2011. The notice is available electronically at the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams/web-based.html> where the public can access the text and image files of NRC's public documents in the NRC's Agencywide Document Access and Management System (ADAMS). The meeting notice can be found under accession number ML11102A071.

The meeting participants included NRC staff and contractors, members of the power reactor licensee and vendor community, and representatives from the Nuclear Energy Institute (NEI) and the International Brotherhood of Electrical Workers (IBEW). These participants are listed in Enclosure 2. Enclosure 3 contains the meeting agenda.

1. Opening Remarks

The meeting began with opening remarks. The NRC staff stated that the purpose of this meeting was to discuss the guidance that will accompany the newly proposed rule regarding an alternative to the MDO requirements in Part 26.¹ The proposed alternative is a 54-hour weekly limit, averaged over a rolling 6-week (or shorter) period.

The Commission directed the NRC staff to prepare implementation guidance and issue it by July 24, 2011. NEI is creating an addendum to the current implementation guidance (i.e., NEI 06-11, Rev.1). The NRC staff plans to review and endorse (as appropriate) the guidance addendum. Both the NRC staff and NEI representatives acknowledged that the draft guidance prepared for this meeting was developed before the proposed rule was published in the *Federal Register*. Therefore, the guidance will need to be updated to reflect the proposed rule language.

2. NEI Presentation of Draft Implementation Guidance

NEI and other industry representatives presented a draft of the implementation guidance addendum. The guidance topics addressed during the meeting included: incidental duties; shift turnover; force-on-force exercises; unannounced emergency preparedness drills; reviews; waivers; reporting; averaging periods; partial averaging periods; averaging periods truncated for unforeseen reasons; and transition guidance. During the presentation, the NRC staff asked clarifying questions.

¹ "Alternative to Minimum Days Off Requirements," 76 Federal Register 80 (26 April 2011), pp. 23308-23218.

Many of the questions and discussion focused on partial averaging periods and transitions into covered work. Specifically, the NRC staff asked questions regarding the proposed guidance for individuals who begin covered work in the middle of an averaging period. The NRC staff and industry representatives agreed to a preference for simpler guidance. Industry representatives also noted that separate guidance is needed for workers transitioning into an outage.

3. Next Steps

At the conclusion of the meeting, NEI agreed to revise the guidance to reflect the newly proposed rule on the 54-hour weekly average alternative and the comments received during the meeting. Once completed, NEI will submit the revised document to the NRC staff for review. The NRC staff suggested that another public meeting should be held on the revised draft guidance in May. A meeting is scheduled for May 11, 2011.

**April 27, 2011, Public Meeting Regarding 10 CFR Part 26 Subpart I Implementation
Guidance**

Attendance List

NAME	AFFILIATION
Val Barnes	NRC
Howard Benowitz	NRC
Michael Boggi	NRC
Fred Brown	NRC
Patrick Coughlin	NRC
David Desaulniers	NRC
Carmen Franklin	NRC
Shana Helton	NRC
Tara Inverso	NRC
Dabin Ki	NRC
Kamishan Martin	NRC
Stephanie Morrow	NRC
Tim Reed	NRC
Undine Shoop	NRC
Donna Alexander	Progress Energy
David Balas	Westinghouse
Scott Bauer	NEI
Paul Bemis	PG&E
Jana Bergman	Sciencetech
John Butler	NEI
Jim Bradshaw	Cook Nuclear
Randy Bramlett	APS
J. Castro	TVA
Nancy Chapman	Bechtel
John Collier	ICF
Peter J. Defilippi	Westinghouse
Jane Diecker	Morgan Lewis
Paul Duke	PSEG
Bill Freiburn	Platts
Liz Gormsen	ICF
Greg Halnon	FirstEnergy
Jeff Hansen	Exelon
Jeff Hatley	PG&E
Jack Heyer	IBEW
Rich Herrle	Ventyx
Theodore Koser	STARS
Dave Mullen	IBEW
Kevin Mulls	
Lisa Nance	STP

NAME	AFFILIATION
Josh Peril	TVA
Thomas Perry	SCE&G
Mike Phillips	Duke Energy
Stephenie Pyle	Entergy
Margi Rochester	Susquehanna
Georgia Thu	ICF
Jim Wheeler	Dominion

301-415-5309

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Agenda

MEETING AGENDA FOR THE CATEGORY 3 PUBLIC MEETING
TO DISCUSS IMPLEMENTATION GUIDANCE FOR THE 10 CFR PART 26
CUMULATIVE FATIGUE REQUIREMENTS
APRIL 27, 2011; 1:00 p.m. – 5:00 p.m.
NRC, EXECUTIVE BOULEVARD BUILDING
6003 EXECUTIVE BOULEVARD
ROOM: 01-15
ROCKVILLE MD 20852

The NRC staff is conducting this public meeting to allow discussion towards the development of implementation guidance for the cumulative fatigue requirements of 10 CFR Part 26, Subpart I, "Managing Fatigue."

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| 1:00 – 1:15 p.m. | Opening comments and introductions |
| 1:15 – 1:35 p.m. | NRC presentation |
| 1:35 – 3:00 p.m. | Implementation guidance discussion |
| 3:00 – 3:15 p.m. | Break |
| 3:15 – 4:45 p.m. | Continuation of the implementation guidance discussion |
| 4:45 – 5:00 p.m. | Summation, next meeting schedule and adjournment |