

10 CFR Part 26 Subpart I “Managing Fatigue” Category 3 Public Meeting

**U.S. Nuclear Regulatory Commission Headquarters
February 19, 2014**

Welcome to NRC Headquarters

IN CASE OF FIRE USE STAIRWAY
 IN CASE OF EMERGENCY CALL 911



- LEGEND**
- PRIMARY EVACUATION ROUTE
 - SECONDARY EVACUATION ROUTE
 - EGRESS STAIR
 - FIRE ALARM PULL
 - FIRE EXTINGUISHER CABINET
 - AUTOMATED EXTERNAL DEFIBRILLATOR
 - HOSE VALVE CABINET
 - EVACUATION PLAN



**FLOOR 8
 THREE WHITE FLINT NORTH**
 11601 LANDSDOWN STREET NORTH BETHESDA, MD 20852

Meeting Objective

- To discuss the continuing development of the Part 26 Subpart I proposed rule. Specifically, the NRC staff will discuss its detailed comments on the Nuclear Energy Institute's latest draft revision of guidance document NEI 06-11, "Managing Personnel Fatigue at Nuclear Power Reactor Sites," and the NRC staff will discuss preliminary proposed rule language released on February 10, 2014.

Agenda

1:00 p.m. – 1:10 p.m.	Opening Remarks	NRC
1:10 p.m. – 2:00 p.m.	Discussion of Preliminary Proposed Rule Language	NRC
2:00 p.m. – 3:30 p.m.	Discussion of Draft Guidance Material	NRC
3:35 p.m. – 3:55 p.m.	Public Participation	
3:55 p.m. – 4:00 p.m.	Closing Remarks	NRC

Background

- Rulemaking effort began in 2011
- Today marks the 11th public meeting
 - Subjecting QC/QV workers to work hour controls
 - Licensee sequestration of personnel during severe weather events
 - Unit outage definition
 - Draft NEI 06-11 development
 - Travel time accounting
 - PRMs 26-3, 26-5, 26-6
 - Definitions
 - Shift turnover

Preliminary Proposed Rule Language

§ 26.205 Work hours.

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(d)(2)(i) a 10-hour break between successive work periods or an 8-hour break between successive work periods when a break of less than 10 hours is necessary to accommodate a crew's **shift** scheduled transition ~~between work schedules or shifts~~ **from unit outage to operation**; and

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Preliminary Proposed Rule Language (cont.)

- **NRC Staff Objectives:**
 - Clarify NRC intent regarding licensee use of an 8-hour transition
 - Use rule language that reflects the explanation found in the 2008 rule (73 FR 17133)
- **Feedback:**
 - Does the preliminary proposed rule language, as written, satisfy these objectives?
 - If not, how can the NRC improve the language while satisfying the above objectives?

Preliminary Proposed Rule Language (cont.)

“Section 26.205(d)(2)(i) permits licensees to schedule a minimum 8-hour break in only one circumstance: if the 8-hour break is necessary to accommodate a crew's scheduled transition between work schedules. During the public meetings described in the preamble of the proposed rule, the NRC received comments that a 10-hour break requirement would occasionally interfere with a transition from 12-hour shifts to 8-hour shifts. This transition typically occurs at the end of an outage for individuals who normally work an 8-hour shift, but work a 12-hour shift during outages. Although the exception provides individuals with less time for recovery, the shorter break is limited to one break occurring on a very restricted frequency. Therefore, the permission for an 8-hour break for the specific circumstances of a shift transition provides scheduling flexibility with minimal potential to adversely affect an individual's ability to safely and competently perform his or her duties.”

Preliminary Proposed Rule Language (cont.)

§ 26.207 Waivers and exceptions.

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(d) *Plant emergencies.* Licensees need not meet the requirements of § 26.205(c) and (d) during declared emergencies, as defined in the licensee's emergency plan. For the purposes of compliance with § 26.205 (c) and (d), licensees may exclude from the calculation of an individual's work hours the time the individual works unscheduled work hours for the purposes of responding to a declared plant emergency, as defined in the licensee's emergency plan.

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This preliminary proposed rule language was posted to www.regulations.gov Docket ID NRC-2009-0090 on February 10, 2014. Since publication, the NRC staff has realized a shortcoming in the language.

Preliminary Proposed Rule Language (cont.)

§ 26.207 Waivers and exceptions.

* * * * *

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This preliminary proposed rule language better reflects the NRC staff's intentions.

Preliminary Proposed Rule Language (cont.)

- **NRC Staff Objectives:**
 - Provide an exception to the work hour limits and break requirements during plant emergency conditions that require activation of any segment of the emergency response organization.
 - Prevent individuals from encountering non-compliance issues immediately following the conclusion of a plant emergency due to hours worked during the plant emergency.
 - This language is not intended to extend the exception to activities following the conclusion of a plant emergency (i.e., deactivation activities)
- **Feedback:**
 - Does the preliminary proposed rule language, as written, satisfy these objectives?
 - If not, how can the NRC improve the language while satisfying the above objectives?

Staff Detailed Comments on Draft NEI 06-11, Rev. 2f

- No new issues from the detailed review
- Large majority of detailed comments are editorial
- Remainder are requests to make conforming changes with preliminary proposed rule text (e.g., strategies for shiftworkers) and to incorporate staff-proposed guidance (e.g., travel time)



Staff Detailed Comments on Draft NEI 06-11, Rev 2f

Questions?

Next Steps

- Meeting summary distributed within 30 days
- NRC needs to receive the final draft revision of NEI 06-11 by March 15, 2014
- Proposed rule and draft guidance material delivered to the Commission during the 4th quarter, FY2014

Questions?

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