

From: [Bladey, Cindy](#)
To: ["gregory.hernly@gmail.com"](mailto:gregory.hernly@gmail.com)
Cc: [Terry, Leslie](#); [Leatherbury \(Daniels\), Christian](#)
Subject: Re: Request for fatigue review
Date: Monday, January 05, 2015 11:14:14 AM

Dear Mr. Hernly:

This e-mail is in reference to your request dated December 6, 2014, that you filed electronically with the U.S. Nuclear Regulatory Commission (NRC). The NRC staff is currently evaluating your request to determine if it meets the NRC's requirements in § 2.802 of Title 10 of the Code of Federal Regulations, "Petition for rulemaking," for docketing of a petition for rulemaking. You will be notified once the NRC staff has completed its docketing evaluation.

You may direct any questions you may have concerning the petition process or the status of your request to me toll-free at 1-800-368-5642 or 301-287-0949 (e-mail: Cindy.Bladey@nrc.gov) or to Leslie Terry at 301-287-0993 (e-mail: Leslie.Terry@nrc.gov).

Regards,
Cindy Bladey

Cindy Bladey, Chief
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From: Gregory Hernly [<mailto:gregory.hernly@gmail.com>]
Sent: Saturday, December 06, 2014 1:18 PM
To: NRC Allegation
Subject: Request for fatigue review

Request to modify the fatigue rules for covered workers at nuclear facilities.

Purpose of this letter: For front line staff to define fair and reasonable fatigue management guidelines, providing adequate rest for front line staff and promote a safe and focused work environment, reduce injuries, human errors and inattentiveness on duty.

Many officers of the Palo Verde Security Dept along with the support of the United Security Professionals of America Local #8, believe the current NRC standards for fatigue management are unrealistic, promote fatigue and create an unsafe work environment in the nuclear industry. Companies create an unsafe work environment by not maintaining sufficient staff and creating excessive work hours through refusal

to hire an appropriate amount of staff, poor scheduling practices and for long periods, consistently working front line staff to the limits of the current fatigue guidelines. Please recognize as you review the following changes, our front line security staff work 12 hour and 20 minute long shifts, many commuting an hour or more.

The following is the suggested changes for fatigue guidelines:

1. There should be no rolling week cycles. All cycles should be fixed. This allows the covered worker the ability to plan home/family responsibilities easier, establish some predictability in days off, in turn helping the worker remain focused while at work.
2. There should be no averaging over the 6 week cycle. Individuals working 12 hour shifts should have a minimum of 2 consecutive days off per week. Include a provision that states, if the worker feels they are not fatigued, they can perform a self-assessment for fatigue then volunteer to work 1 extra day, but cannot be forced to work the extra day. However, the 6 days in 6 weeks rule would still apply.
4. When changing shifts, from days to nights or visa versa, there will be a minimum of a 48 hour period off. The current 34 hours does not allow for adequate rest when changing shifts. Typically staff are forced to choose staying awake over 30 hours (can be detrimental to health and unsafe at home) or go to sleep at their normal time and not being able to adjust their sleep pattern/ circadian rhythm for the up-coming shift change (creates an unsafe work environment).
5. Maintain the maximum of 6 days of overtime in a 6 week cycle (non-rolling week and not averaged over the 6 week cycle).

We do not believe these changes would have a huge impact the amount of times an officer can work in a 6 week period, or the amount of staff required to maintain a properly staffed work force, but the changes would simplify the process creating easier predictability for the worker and provides realistic and adequate rest. This in turn will

create a more rested, focused employee and a more safe, injury and event free nuclear workplace.

The reason we are addressing the NRC directly is we do not believe the company will be receptive to these changes since it may cause them to be slightly more conservative in their scheduling and staffing practices. We also believe this is an issue that needs to be addressed nationwide to ensure the industry is operating as safely as reasonably possible to ensure the safety of the plant, the employees and most importantly, the public.

Thank you for your time and consideration in this matter.

Gregory Hernly
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623-293-3086

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