

July 26, 2017

MEMORANDUM TO: Dennis C. Morey, Chief
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Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

FROM: Joseph J. Holonich, Senior Project Manager /RA/
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SUBJECT: SUMMARY OF JUNE 15, 2017, MEETING ON FATIGUE
REGULATORY GUIDE

On June 15, 2017, U.S. Nuclear Regulatory Commission (NRC) staff met with representatives from the Nuclear Energy Institute (NEI). The purpose of the meeting was to discuss revisions to NEI 06-11, "Managing Personnel Fatigue at Nuclear Power Reactor Sites." A copy of NEI 06-11 as well as all the information related to the meeting can be found in the Agencywide Documents Access and Management System package Accession No: ML17125A212.

In its introductory remarks, the NRC staff noted that the rulemaking to include persons who perform quality verification/quality control inspections to the categories of personnel subject to the work hours controls in Title 10 of the *Code of Federal Regulations* Part 26 and other matters was not completed and that the revision to NEI 06-11 would help address some of the areas covered in the rule. Further, the NRC staff stated that it had only one significant comment on NEI's submittal related to applying work hours requirements when transitioning from outages to operations.

NEI stated in its introductory remarks that the industry viewed fatigue as an important issue. Continuing, NEI stated that plant operators wanted to make sure workers were right physically and had the necessary mind set to work at a facility. Thus, industry was looking for guidance to help ensure consistency across plants while adding specificity to broad regulations.

During the discussions of the NRC comments on NEI 06-11, Revision 2, there were several areas where NEI agreed to revisit the document wording or the NRC staff agreed to revisit its comments and recommended changes. An action was identified in the force-on-force area on page 29. NEI cited a part in the Statements of Consideration (SOC) for the current fatigue rule as a basis for its wording. The NRC staff asked NEI to provide that citation and NEI took it as an action to do so.

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A copy of NEI 06-11, Draft 2 and NEI 06-11, Draft 2 with NRC staff comments can be found in the referenced meeting package.

Once the technical discussions were complete, NEI asked about the status of Petitions for Rulemaking related to fatigue. The NRC staff reported that the agency responses were still being worked.

At the end of the meeting, NEI asked what was the path forward given the fact that it appeared the NRC staff had minimal comments. The NRC staff responded that NEI may want to submit another version with the changes it makes as a result of the meeting. Because of the limited and few significant NRC staff comments, the NRC staff felt that it could move towards the development of a Draft Regulatory Guide after the next NEI 06-11 revision was received. The NRC staff emphasized that the Regulatory Guide development would follow the standard process for issuance including a draft for public comment.

NEI committed to submit a revision to the NRC staff within 90 days from the meeting. This was an action from the meeting.

In closing, NEI stated that it believed the effort to develop endorsable guidance was going well. It also stated that it saw a shared goal of helping ensure safety at plants by addressing needed guidance on fatigue.

Actions from the meeting were:

- 1) Based on discussion at the meeting, NRC staff and NEI will revisit a number of areas in the document.
- 2) NEI will provide the SOC citation dealing with force on force; and
- 3) NEI will submit NEI 06-11, Draft 3 within 90 days of the date of the meeting.

SUBJECT: SUMMARY OF JUNE 15, 2017, MEETING ON FATIGUE REGULATORY GUIDE DATED: JULY 26, 2017

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