

YANKEE ATOMIC ELECTRIC COMPANY



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Secretary of the Commission
United States Nuclear Regulatory Commission
Washington, D. C. 20555

DOCKET NUMBER

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OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

PROPOSED RULE

PR-50

(47 FR 38135)

Attention: Docketing and Service Branch

Subject: Comments Pertaining to Licensed Operator Staffing; Proposed Rule
(47FR38135, 30 August 1982)

Dear Sir:

We welcome this opportunity to exercise our privilege of submitting comments. Yankee Atomic owns and operates a nuclear power plant in Rowe, Massachusetts. The Nuclear Services Division also provides engineering and licensing services for other nuclear power plants in the Northeast including Vermont Yankee, Maine Yankee, and Seabrook 1 and 2.

INTRODUCTORY REMARKS REGARDING LICENSED OPERATOR STAFFING

Yankee Atomic recognizes that some licensees already comply with the proposed staffing requirements for licensed operators. Others may achieve compliance before the proposed deadline of January 1, 1983. Still others, and we think the majority of licensees, will be unable to achieve the proposed levels of staffing by that deadline. Many in this latter category have already requested extensions beyond that date. Thus, the proposed rule abruptly confronts some licensees with the penalties of noncompliance, but rewards others who have already established their licensed operator staff consistent with NRC's proposed requirements.

The post-TMI literature that NRC cites in the proposed rule provides no explanation for NRC's belief that a backup SRO is necessary for reasons of increasing safety during plant operation. The President's Commission on Three Mile Island does not address staffing levels for licensed operators. The conclusions reached in other documents such as reports of the NRC's Special Inquiry Group, Lessons Learned Task Force, or Bulletins and Orders Task Force are official pronouncements and policy statements, not administrative rulemakings. They do not reflect the required level of reasoned decision-making that must precede NRC's promulgation of a new requirement.

In our opinion, the need for this proposed requirement has not been adequately established; especially in view of the difficult and unsettled task of describing what is the appropriate relationship between Control Room design, emergency operating procedures, and human factors. The questions raised by these relationships are multi-faceted, and cannot easily be resolved by a single-issue rulemaking. We believe the rule is premature and recommend that NRC delay their decision on licensed operator staffing, until the numerous and extensive studies now underway by NRC and Industry are completed (see Attachment to this letter). These studies are part of NRC's integrated effort to establish shift crew qualifications, which is necessarily related to the question of licensed operator staffing. The Attachment summarizes these studies, which represent a more holistic and less ad-hoc approach than this isolated proposal. At least five key activities are underway, representing a very significant commitment o.

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NRC and Industry resources, that would appear to provide the sound basis this proposed rule lacks. We believe that by proposing this rule in advance of gaining knowledge from these programs, the NRC may put the cart before the horse.

DISCUSSION OF THE PROPOSED RULE

1. A fixed deadline for compliance of January 1, 1983, even with the privilege of requesting extensions, may not be the most fair and reasonable choice.

The proposed rule establishes a deadline of January 1, 1983, for meeting its minimum licensed operator staffing requirements, but permits the Director, NRR, to grant extensions "for good cause" to July 1, 1983. Many utilities have already requested extensions from this date, based upon the NRC's criteria set forth in the Supplementary Information section. Although the proposed rule further provides for extensions, granted by the Commissioners to beyond July 1, 1983, no criterion are established for what "exceptional cases" would be eligible for such extensions. Despite NUREG-0737's prior requirements, concerning staffing levels for licensed operations, this proposed rule is the first official opportunity that NRC has provided for submitting comments on these requirements. Licensees are now faced with a codified deadline concerning staffing levels, and this proposed rule in which NRC has provided less than thirty days for public comments and merely four months until compliance is required.

We believe that an "exceptional case" may already exist for any request for extension beyond January 1, 1983. This date is too soon for many licensees, and does not correspond to a future date when results will be available from the extensive ongoing activities, listed on the Attachment to this letter. In particular, INPO's Survey of Occupational Employment in Nuclear Power Activities, which is due October 1982, could be consulted by NRC for projecting personnel availability and demands for licensed operators. There may be reason to find that January 1, 1983 is not the most fair and reasonable deadline that could be chosen. Moreover, NRC action in advance of the INPO survey will negate the purpose and timeliness of the survey, contrary to the spirit of Industry cooperation with NRC, which INPO has fostered since its formation.

2. Instead of fixing a deadline that may be unrealistic for many Utilities, NRC should permit each licensee to negotiate a more viable commitment date.

In the area of NRC requirements for emergency preparedness capability, the Committee to Review Generic Requirements has distilled many isolated, and in some cases ad-hoc, requirements into a single document in SECY 82-111. The Commissioners have approved a scheme for licensees to negotiate their commitments to SECY 82-111 requirements, together with their NRC Project Managers. The Commissioners explicitly recognized that a discrete deadline for the diverse SECY 82-111 emergency preparedness requirements would be unfair to many Utilities, who were continuing with good-faith efforts to implement these capabilities in the absence of a concise regulatory requirement.

Similarly, we believe that a negotiable commitment scheme is appropriate for licensed operator staffing requirements. Thus, NRC would demonstrate a fair consideration for a Utility with, among other factors, an active recruitment program, sufficient personnel in training, and an adequate training program. A fixed deadline can be unnecessarily demoralizing, to a utility whose good-faith efforts in these areas is only to be met with a finding of noncompliance, with the premature and arbitrary deadline of January 1, 1983.

3. Staffing requirements that abruptly increase, at a pre-selected core-average temperature, are unnecessarily inflexible and may prevent a Shift Supervisor from leaving the Control Room even when safety demands his presence elsewhere in the plant.

According to the proposed rule, taking pressurized water reactors for illustration, the minimum requirements for Senior Reactor Operators increase by one when core-average temperature reaches 200°F. A shift Supervisor supervising a plant heatup to normal operating temperatures would be forbidden from leaving the Control Room, in case he is needed elsewhere, until a second Senior Reactor Operator reports to the Control Room for duty. Thus, the consequence of basing the requirement upon temperature is paradoxical: either the plant heatup would be delayed until the second SRO arrives, or the SS must disobey a requirement if an emergency arises and he must exit the Control Room before the SRO arrives. Nothing about 200°F, however, compels this result for all pressurized water reactors. Plant operations are not suddenly made unsafe at 200°F, so that two SROs on Shift are necessary. And nothing is desirable about forcing a plant cooldown, merely so the SS can leave the Control Room. A pre-selected temperature transition point of 200°F for all plants is unrealistic since it does not correspond to any identified risk of plant operation, which would demand another SRO, and may create a safety hazard if it operates as a disincentive for a SS to go where he is needed most.

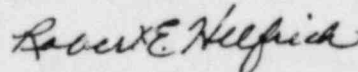
We believe, for example, if this proposed rule is promulgated, that a better way to administer the requirement for a backup SRO would be to key on Operating Modes 1-6, which are defined for each plant, and to only require the second SRO before a expiration of the subsequent shift. Thus, the transition-requirement more naturally corresponds to plant-specific definitions of modes, and a reasonable period of flexibility would exist to permit the SS to roam freely about the plant without delaying operation, until a backup SRO arrived.

CONCLUDING REMARKS

Yankee Atomic believes that this proposed rule should not be promulgated in advance of results of those NRC and Industry Activities listed as the Attachment to this letter. In addition, it should only be promulgated if NRC establishes that additional compliance costs to Utilities are justified by avoiding identifiable risks of plant operation as a consequence of requiring more licensed operators on shift. Otherwise, we feel the rule is both premature and not properly justified by reasons of significantly increasing plant safety.

Very truly yours,

YANKEE ATOMIC ELECTRIC COMPANY



Robert E. Helfrich
Senior Engineer - Generic Licensing

ATTACHMENT*

Projected Availability

Item

October, 1982

INPO Survey of Occupational Employment in Nuclear Power Activities, to determine employment status and demand for licensed operators by Utilities.

November, 1982

Brookhaven-Pacific Northwest Labs Contractor Report for the NRC's Division of Human Factors Safety, for use in developing guidelines for shift staffing and qualifications requirement.

December, 1982

NRC Division of Human Factors Safety Project, Preliminary Report, to define the preferred role of an engineer on shift, including: functions, responsibilities, qualifications, organizational relationship, integration with other operating staff.

June, 1983

NRC Division of Human Factors Safety, Application of Instructional Systems Development to Evaluation of Nuclear Utility Training, project to develop guidelines for operator training programs in the nuclear industry and for specific positions and plant type.

June, 1983

NRC Division Facility Operations, NRC-RES Job/Task Analysis, project to obtain detailed information on crew operations during transient and accident conditions, on human engineering design on Control Room number and types of operations, training requirements, etc.

July, 1983

INPO Job/Task Analysis, project to obtain detailed data and descriptions of skills and knowledge requirements of ten operational positions (e.g., RO, SRO, AO, SS, STA, etc.).

* Presentation by Dr. J. Persensky, NRC Licensee Qualification Branch, September 1, 1982 Meeting of AIF Subcommittee on Reactor Operations and Maintenance