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Secretary of the Commission
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

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PETITION RULE PRM 30-62
(64FR57785)

OFFICE
OF THE
ADJUTANT

Dear Sir or Madam:

This is to urge your support for the currently proposed rules #'s 1 and 2. I feel that these rules are essential to ensure our safety from nuclear accidents.

All nuclear accidents that have occurred to date have been, at least in part, the result of human error. A large body of research shows that fatigue has markedly adverse effects on job performance – more marked than the effects of alcohol levels which NRC regulations ban in power plants! Although the guidelines you introduced in 1982 limit worker hours, they only apply specifically to control room operators and key maintenance personnel, and even for this insufficiently inclusive group, the guidelines are not enforceable. Moreover, you recently determined that the guidelines apply only when a nuclear power plant is actually running. Since plants often require 12 to 16-hour workdays for weeks at a time during refueling outages, this means that critical maintenance is being performed by crews suffering from sleep deprivation. Do you really believe that work with large amounts of highly radioactive, fissionable nuclear fuel requires less alertness and capacity for prompt and appropriate response than driving a truck? The Federal government imposes strict working hour limits on truck drivers! I urge your support for similar limits for nuclear power plant employees, and for strict enforcement of these limits during refueling and maintenance, as well as when the plant is running.

Proposed rule #2 is critical to ensure that the nuclear industry does not retaliate against employees who attempt to remedy unsafe practices. Although you imposed fines of \$80,000 to \$110,000 for harassment or intimidation of workers who raised safety concerns on four nuclear power plants in the past year, no sanctions have been taken against the individuals responsible for breaking the employee protection regulations. The NRC has argued that ignorance of the regulations on the part of the individuals responsible for breaking the regulations makes it impossible to impose sanctions against them. As a shutdown costs the plant considerably more PER DAY than a fine, there is clearly a strong incentive to the industry to discourage whistle blowers. In order to protect the whistle blowers who protect us all from the potentially disastrous effects of corner-cutting by the nuclear industry, this unusual argument for circumventing the regulations must be abrogated. Proposed Rule #2, which requires that supervisors, managers and directors in the nuclear industry be trained to familiarize them with the employee protection regulations would eliminate the "ignorance of the law" argument. I urge you to support this essential new rule.

Sincerely yours,

Barbara C. Sorkin