

January 10, 2002

MEMORANDUM TO: William D. Travers
Executive Director for Operations

FROM: Annette L. Vietti-Cook, Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS - SECY-01-0113 - FATIGUE OF
WORKERS AT NUCLEAR POWER PLANTS

The Commission has approved the staff's plan to grant, in part, the petition for rulemaking (PRM-26-2) to address fatigue of workers at nuclear power plants. The Commission has approved development of a rule using Option 2, as described in the rulemaking plan attached to this paper, subject to the comments provided below.

1. The staff should address and resolve the backfit issues prior to expending significant resources on this rulemaking.
2. The staff should seek to develop the rule in an open, consultative process with stakeholders.
3. The staff must give serious consideration to the need for management flexibility to deal with unforeseen and emergent work at their plants, while they proceed with the rulemaking.
4. The staff should seek stakeholder comment on whether security force personnel should be included in the proposed rule's coverage and amend the final rule as appropriate in light of the comments.
5. The staff should continue to monitor and keep the Commission informed of the other worker fatigue initiatives underway within the Federal Government, particularly those being conducted by the Federal Aviation Administration.
6. The staff should seek comment on the adequacy of the current policy limits on working hours. The practices of other industries and other countries should provide a backdrop for the NRC's consideration of this issue, but the NRC rule should be established with a full appreciation and understanding of the unique circumstances and practices of the nuclear industry.

cc: Chairman Meserve
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
OGC
CFO
OCA
OIG
OPA
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR