

March 31, 2003

MEMORANDUM TO: William D. Travers  
Executive Director for Operations

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

SUBJECT: STAFF REQUIREMENTS - COMSECY-03-0012 - FITNESS-FOR-DUTY ENHANCEMENTS TO ADDRESS CONCERNS REGARDING FATIGUE OF NUCLEAR FACILITY SECURITY FORCE PERSONNEL - DRAFT ORDER AND COMPENSATORY MEASURES FOR POWER REACTOR LICENSEES

The Commission has approved the proposed Order and its Compensatory Measures, subject to the following comments and the changes to the cover letter and the Order as noted in the attachment:

1. Staff should be prepared to modify the Order if the limits or the process for calculating the group averages proves ineffective, counterproductive, or excessively burdensome.
2. The staff should continue to evaluate possible enhancements to group limits and report those results to the Commission.
3. Item C.1.(b) should be revised as follows: "The number and duration of approved deviations shall be reviewed by the Security Manager and limited to the extent practicable." (Addition underlined)
4. The staff must carefully consider 1) the information provided by licensees in their "20-day" responses and 2) lessons learned from implementation to determine whether modifications to the Order may be warranted and inform ongoing fitness-for-duty rulemaking efforts.
5. Measures should be included to address actions that should be taken should the group hour limits be exceeded, e.g., "the licensee shall take prompt action to limit hours worked to those specified by the compensatory measures in a timely manner and take action to prevent recurrence."

Attachment as stated.

SECY NOTE: THIS SRM, THE SUBJECT COMSECY, AND COMMISSIONER VOTES WILL BE MADE PUBLIC FOLLOWING ISSUANCE OF THE ORDERS.

cc: Chairman Meserve  
Commissioner Dicus  
Commissioner Diaz  
Commissioner McGaffigan  
Commissioner Merrifield  
OGC  
CFO  
OCA  
OIG

SECY NOTE: THIS SRM, THE SUBJECT COMSECY, AND COMMISSIONER VOTES  
WILL BE MADE PUBLIC FOLLOWING ISSUANCE OF THE ORDERS.

Changes to the Cover Letter to the Order

1. Delete first sentence in paragraph 2, page 1.
2. On page 1, first paragraph, revise last sentence to read: "... The Commission has determined that ~~the current threat environment requires that~~ the enclosed Order should be effective immediately."

Changes to the Order

3. On page 2, first full paragraph, line 2, delete comma after "2001".
4. On page 2, first full paragraph, revise line 10 to read: "... continue to be adequately protected ~~in the current threat environment.~~"
5. On page 3, section A, change "90 days" to "180 days".

SECY NOTE: THIS SRM, THE SUBJECT COMSECY, AND COMMISSIONER VOTES WILL BE MADE PUBLIC FOLLOWING ISSUANCE OF THE ORDERS.