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12/21/99

**From:** "Chuck Watson" <watson@indiana.edu>  
**To:** "Carol Gallagher" <CAG@nrc.gov>  
**Date:** Mon, Dec 6, 1999 11:58 AM  
**Subject:** RE: Decision on proposed rules

99 DEC 21 P4:28

Ms. Gallagher,

Here are the proposed rules to which I was referring. Certainly my concerns are also relevant to any other proposed protections along the same lines, of which I may be unaware. Thanks for getting back to me. (The descriptions were those circulated by the Union of Concerned Scientists.)

ADL

DOCKET NUMBER  
 PETITION RULE PRM 26-2  
 (64FR67202)

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- \* Proposed Rule #1 - Establish limits on employee
  - > working hours at nuclear power plants:
  - > This rule will make the NRC guard against human
  - > performance degradation from fatigue just as it has
  - > done for drug and alcohol use since the mid 1980s.
  - > With the onset of electric utility restructuring,
  - > nuclear power plant owners face pressure to slash
  - > operating costs, forcing plant owners to reduce
  - > staffing levels. The remaining staff members must work
  - > longer and longer hours. Numerous studies have
  - > concluded that fatigue impairs human performance.
  - > Human performance problems contributed to the nuclear
  - > accidents at Three Mile Island and Chernobyl. Despite
  - > this evidence, the NRC has no regulations against
  - > excessive overtime and frequently looks the other way
  - > when plant owners abuse the agency's overtime
  - > guidelines.
- >
- \* Proposed Rule #2 - Training on employee protection
  - > regulations to supervisors, managers, and directors:
  - > The second proposed rule will protect nuclear
  - > "whistleblowers" - the plant workers who
  - > conscientiously raise safety concerns. The NRC's
  - > regulations are supposed to protect these workers from
  - > harassment and intimidation. Unfortunately, the
  - > agency consistently fails to enforce these regulations
  - > based on the flimsy rationale that the individuals who
  - > fire and discriminate against whistleblowers don't
  - > know that these actions are illegal. The rule removes
  - > this "ignorance of the law" excuse by requiring
  - > nuclear plant owners to train supervisors and managers
  - > on the employee protection regulations.
- >
- > -----Original Message-----
- > From: Carol Gallagher [mailto:CAG@nrc.gov]
- > Sent: Friday, December 03, 1999 3:15 PM
- > To: watson@indiana.edu
- > Subject: Decision on proposed rules

PDR PRM 26-2

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**From:** "Chuck Watson" <watson@indiana.edu>  
**To:** OWFN\_DO.owf1\_po(OPA)  
**Date:** Thu, Dec 2, 1999 10:07 AM  
**Subject:** Decision on proposed rules.

PLEASE FORWARD THIS TO THE SECRETARY OF THE NRC, AS I WAS UNABLE TO LOCATE AN EMAIL ADDRESS FOR THE COMMISSION. THANKYOU.

CHARLES S. WATSON  
PROFESSOR  
INDIANA UNIVERSITY

SIRS,

LIKE MANY OF MY COLLEAGUES I AM VERY CONCERNED ABOUT THE COMMISSION'S CONSIDERATION OF PROPOSED RULES REGARDING NUCLEAR PLANT EMPLOYEES, THEIR WORKING HOURS AND THE TREATMENT OF "WHISTLE BLOWERS". THE SIMPLEST OF VALUE-COST ANALYSES OF THIS PROBLEM CLEARLY FAVORS EXTREME MEASURES TO ASSURE THAT THOSE AT THE CONTROLS NEVER BE OVERLY FATIGUED. LIKEWISE THE SAME ANALYSES RECOMMEND THE UTMOST EFFORT TO PROTECT THOSE WHO REPORT UNSAFE CONDITIONS AND PRACTICES, AT THE RISK OF THEIR CAREERS.

RESPECTFULLY,

CHARLES S. WATSON,  
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