

UNITED STATES
NUCLEAR REGULATORY COMMISSION
OFFICE OF NUCLEAR REACTOR REGULATION
WASHINGTON, D.C. 20555-0001

January 18, 2001

**NRC REGULATORY ISSUE SUMMARY 2001-01
ELIGIBILITY OF OPERATOR LICENSE APPLICANTS**

ADDRESSEES

All holders of operating licenses for nuclear power reactors, except those who have permanently ceased operations and have certified that fuel has been permanently removed from the reactor vessel.

INTENT

The U.S. Nuclear Regulatory Commission (NRC) is issuing this regulatory issue summary (RIS) to familiarize addressees with the NRC's current guidelines for the qualification and training of reactor operator (RO) and senior operator (SO) license applicants. The discussion that follows reviews and updates the status of this issue since Information Notice (IN) 98-37, "Eligibility of Operator License Applicants," was issued on October 1, 1998. This RIS does not transmit any new requirements or staff positions, nor does it require any specific action or written response.

BACKGROUND INFORMATION

In accordance with 10 CFR 55.31(a)(4), as amended on March 25, 1987, a license applicant must provide evidence that he or she has successfully completed the facility licensee's requirements to be licensed as an RO or SO. An authorized representative of the facility licensee shall certify this evidence on the license application; the required certification must include the details of the applicant's qualifications, training, and experience. In lieu of these details, the Commission may accept certification that the applicant has successfully completed a Commission-approved training program that is based on a systems approach to training (SAT) and uses a simulation facility that is acceptable to the Commission.

Revision 2 of Regulatory Guide (RG) 1.8, "Qualification and Training of Personnel for Nuclear Power Plants," which was published in conjunction with the 1987 rule change, provided guidance on an acceptable method of implementing this regulation. However, the NRC staff had reviewed¹ the industry's licensed operator training program experience guidelines in effect at the time of the 1987 rule change and determined that they were equivalent to the baseline experience criteria of RG 1.8, Revision 2. Consequently, as indicated in the statement of

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¹ This review was conducted pursuant to the Commission's continued endorsement of the industry's accreditation process first conferred in the NRC's Final Policy Statement on Training and Qualification of Nuclear Power Plant Personnel (50 FR 11147; March 20, 1985).

consideration for the 1987 rule change, a facility licensee's training program would be considered approved by the NRC when it is accredited by the National Nuclear Accrediting Board (NNAB).

On March 19, 1987, Generic Letter (GL) 87-07, "Information Transmittal of Final Rulemaking for Revisions to Operator Licensing - 10 CFR Part 55 and Conforming Amendments," informed facility licensees that they had the option of substituting an accredited, SAT-based program for their operator training program previously approved by the NRC. The GL indicated that this option may be implemented upon written notification to the NRC and that it did not require any staff review. The GL also noted the NRC's expectation that facility licensees would update their licensing basis documents (e.g., their final safety analysis reports (FSARs) and technical specifications (TSs)), as necessary, to conform with their accredited program status.

In November 1987, the NRC published NUREG-1262, "Answers to Questions at Public Meetings Regarding Implementation of Title 10, Code of Federal Regulations, Part 55 on Operators' Licenses," which reiterated and clarified the NRC staff's expectations regarding Section 55.31(a), Revision 2 of RG 1.8, accredited training programs, and the need for facility licensees to update their licensing basis documents per 10 CFR 50.71(e). NUREG-1262 reminded facility licensees that Revision 2 of RG 1.8 would go into effect on March 31, 1988. This NUREG also noted that facilities having NNAB accredited license training programs did not need to meet the guidance in Revision 2 of RG 1.8.

SUMMARY OF ISSUE

Operator license applicants and facility licensees must provide the NRC with sufficient information to enable it to determine whether to grant or deny the applications. However, some facility licensees did not respond to GL 87-07 and/or failed to update their licensing basis documents to eliminate inconsistencies and contradictions. This has made it difficult for the NRC staff to determine whether some license applicants have successfully completed their facility licensee's requirements to be licensed as an RO or SO. The fact that every facility licensee has voluntarily obtained and periodically renewed the accreditation of its licensed operator training program suggests that every facility licensee is implementing the education and experience guidelines endorsed by the NNAB. The NRC staff understands that the current version of those guidelines are outlined by the National Academy for Nuclear Training (NANT)² in its "Guidelines for Initial Training and Qualification of Licensed Operators,"³ (NANT 2000 guidelines) which were issued in January 2000.

Consequently, unless otherwise informed by a facility licensee, the NRC believes that the education and experience guidelines described in the NANT 2000 guidelines are the facility licensee's education and experience requirements to be licensed as an RO or SO.

² The NANT operates under the auspices of the Institute of Nuclear Power Operations (INPO). It integrates the training efforts of all U.S. nuclear utilities, the activities of the NNAB, and the training-related activities of INPO.

³ The NRC staff has reviewed the NANT guidelines and considers them to be equivalent to the NRC's guidelines in Revision 3 of Regulatory Guide (RG) 1.8, which was published in May 2000. RG 1.8 now endorses American National Standards Institute/American Nuclear Society (ANSI/ANS) 3.1-1993, "Selection, Qualification, and Training of Personnel for Nuclear Power Plants," with certain clarifications, additions, and exceptions. It replaces Revision 2 of RG 1.8, which was issued in conjunction with the 1987 amendment to 10 CFR Part 55 and endorsed the 1981 revision of the same industry standard.

In an effort to clarify the situation, the NRC staff has revised NRC Form 398 to make it clear that when a facility licensee certifies, pursuant to 10 CFR 55.31(a)(4), that an applicant has successfully completed a Commission-approved, SAT-based training program, it means that the applicant meets or exceeds the minimum education and experience guidelines currently outlined by the NANT (and by extension, Revision 3 of RG 1.8). Facility licensees can use revised NRC Form 398 to document any exceptions or waivers that the applicant has taken from the baseline education and experience criteria outlined by the NANT. In recognition that the only significant difference between Revision 3 of RG 1.8 and the current accreditation guidelines pertains to certified instructors seeking an SO license, those applicants can use the revised NRC Form 398 to document the details of their experience. This will minimize the potential for misunderstanding and the need to seek additional information.

In summary, the NRC has not changed its requirements or position with regard to license eligibility for ROs and SOs since 1987. RG 1.8 (Revision 2 or 3) and the NANT's guidelines for education and experience (those that were in effect in 1987 or those that were issued in January 2000) outline acceptable methods for implementing the Commission's regulations in this area. Methods different from those set out in RG 1.8 (Revision 2 or 3) or the NANT's guidelines may be acceptable if a facility licensee provides an adequate basis for such a finding.

The staff encourages all facility licensees to review their requirements and commitments related to RO and SO education and experience and to update their documentation (e.g., FSAR, TS, and training program descriptions) to enhance consistency and minimize confusion. This RIS does not address expectations for updating training and qualification commitments and requirements for positions other than licensed ROs and SOs.

When a facility licensee's licensed operator training program description or licensing basis documents contain education and experience requirements that are more restrictive than either Revision 3 of RG 1.8 or the current NANT guidelines, the most restrictive requirements will continue to apply pending the initiation of action by the licensee to amend these requirements; any required TS changes would be considered administrative in nature.

BACKFIT DISCUSSION

No backfitting was intended or approved in connection with the issuance of Revision 3 of RG 1.8 or this RIS. Methods or solutions different from those set out in RG 1.8 or the National Academy's accreditation guidelines may be acceptable if a facility licensee provides an adequate basis for such a finding. Furthermore, this RIS requires no action or written response. Consequently, the staff did not perform a backfit analysis.

FEDERAL REGISTER NOTIFICATION

The NRC staff did not publish a notice of opportunity for public comment in the *Federal Register* because the RIS is informational and pertains to a staff position that does not represent a departure from current regulatory requirements and practice. The NRC staff previously solicited and resolved public comments in connection with the development of RG 1.8,

Revision 3, and has worked with INPO, the Nuclear Energy Institute, and industry representatives in developing the staff position discussed herein. The NRC also previously solicited public comments on the proposed renewal of the information collection request associated with revised NRC Form 398; no comments were received.

PAPERWORK REDUCTION ACT STATEMENT

The information collection associated with NRC Form 398 is covered by the requirements of 10 CFR Part 55 and was approved by the Office of Management and Budget (OMB), approval number 3150-0090.

PUBLIC PROTECTION NOTIFICATION

If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

If there are any questions concerning this RIS, please contact the person listed below.

/RA by Scott F. Newberry Acting For/
David B. Matthews, Director
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LIST OF RECENTLY ISSUED
NRC REGULATORY ISSUE SUMMARIES

Regulatory Issue Summary No.	Subject	Date of Issuance	Issued to
2000-25	Potential Deficiency in Qualification of Okonite Single- Conductor Electrical Control Cables	12/26/00	All holders of OLs for pressurized- water reactors (PWRs), except those who have permanently ceased operations and have certified that fuel have been permanently removed from the reactor vessel
2000-24	Concerns about Offsite Power Voltage Inadequacies and Grid Reliability Challenges Due to Industry Deregulation	12/21/00	All holders of OLs for pressurized- water reactors (PWRs), except those who have permanently ceased operations and have certified that fuel have been permanently removed from the reactor vessel
2000-23	Recent Changes to Uranium Recovery Policy	11/30/00	All holders of materials licenses for uranium and thorium recovery facilities