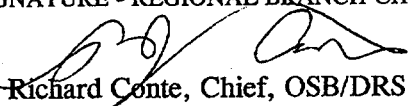
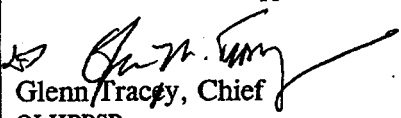




U. S. Nuclear Regulatory Commission  
Operator Licensing Branch

Serial No. ~~0020~~  
0026

**Report on Interaction**

1. TO: G. Tracey, Chief OLHPPSB/NRR		2. TYPE OF ACTION	
		X	WAIVER
3. FROM: P. Bissett Sr. Operations Engineer OSB\DRS\Region I		DATE 9/14/00	POLICY INTERPRETATION
		X	REQUEST FOR HQ ACTION
4. SUBJECT: Waiver of eligibility requirements.			
5. BACKGROUND: AmerGen Energy Company, Three Mile Island Unit 1 is requesting that three individuals be granted a waiver of the 1.) thirteen weeks on shift as a SRO, and 2.) the five reactivity manipulations. This waiver request is based on the fact that these three individuals were previously licensed SROs at TMI, however, more than two years have elapsed since their licenses were terminated. TMI is also requesting that these individuals be considered as SRO upgrades. Concerning the thirteen weeks on shift, TMI has stated that all three individuals will spend at least 6-8 weeks on shift completing OJT program requirements. The letter, dated July 20, 2000, detailing their request, is attached.			
6. RECOMMENDED RESOLUTION Region I recommends that the waiver requests be granted.			
7. SIGNATURE - REGIONAL BRANCH CHIEF		DATE	8. PROP. DUE DATE
 Richard Conte, Chief, OSB/DRS		9/15/00	10/15/00
9. FINAL RESOLUTION: See attachment			
10. FOLLOW-UP ACTION REQUIRED (CHECK APPROPRIATE BLOCK)		11. FILE SUBJECT	12. DISTRIBUTION (SPECIFY)
<input type="checkbox"/> OGC CONCURRENCE		10 CFR 55.	
<input type="checkbox"/> OGC ACTION		ES-202	
<input type="checkbox"/> OTHER (SPECIFY)		OTHER (SPECIFY)	
13. SIGNATURE - Operator Licensing Human Performance & Plant Support Branch		DATE	14. DISTRIBUTION COMPLETE: HOLB SECRETARY (Initials)
 Glenn Tracey, Chief OLHPPSB		12/14/00	 

1. In order for the Commission to waive the examination and testing requirements the applicants must meet certain requirements contained in §55.47 Waiver of Examination and test requirements. Among these requirements are evidence that the applicants have had extensive actual operating experience at a comparable facility, as determined by the Commission, within two years before the date of application.

The waiver request to be administered a SRO Upgrade examination is denied since the applicants have no current license and it has been greater than two years since their licenses were terminated.

2. The facility requested a waiver to reduce the time on shift as an SRO based upon qualifications as a Shift Technical Advisor, and past experience. This is a weak argument since the intent of time on shift is to learn the position to which the individual will be assigned. Even a current licensed operator is required to complete a minimum time under the direction of an operator or senior operator as appropriate and in the position to which the individual will be assigned §55.53(2). However, the facility already has the flexibility within their Commission approved training program to modify their program using appropriate evaluations and reviews, therefore a Commission waiver is not appropriate.

3. Currently §55.31(a)(4) requires evidence that the applicant, as a trainee, has successfully manipulated the controls of the facility for which a license is sought. At a minimum five significant control manipulations must be performed which affect reactivity or power level.

The intent of the rule is to demonstrate that the individual has learned to operate the facility as configured using the facility procedures. Although the applicants were licensed in the past, the experience listed is that of a STA, (1982-87) and an Operations Engineer who maintained a license from 1984 to 1992. There is no mention of when actual significant control manipulations were performed or directed, at the controls experience, or the status of the procedures then and now.

This request is not for a waiver but for an interpretation of the rule that would effectively grant an exemption to a requirement; therefore based on the limited information provided a waiver can not be granted.