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Serial: PE&RAS 03-138  
December 23, 2003

Secretary  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

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Rules and Directives  
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2/3/03

68 FR 5312

(3)

Attention: Rulemakings and Adjudications Staff

Subject: **Comments on Draft Revision 9 of NUREG-1021, "Operator Licensing Standards for Power Reactors (68 Federal Register 5312, February 3, 2003)**

Ladies and Gentlemen:

Progress Energy endorses the comments related to the subject Federal Register notice submitted by the Nuclear Energy Institute (NEI), by letter dated December 19, 2003.

Progress Energy would like to emphasize two of the comments provided in the NEI letter that are of particular significance. Progress Energy supports these comments below and is very interested in how they will be resolved:

- With respect to ES-205, the "shelf life" of Generic Fundamentals Exams (GFE) is proposed to be limited to two years. The industry strongly contends that there is no demonstrated need, from the standpoint of degraded knowledge, reduced plant performance or adverse impact to public safety, to place a shelf life on the-GFE. The guidance for GFE contained in ES 205 of NUREG-1021 Final Revision 8 has been and should continue to be satisfactory.
- With respect to ES-303, comment 1, C.2 allows examiners to deviate from prescribed grading criteria in Section D for either a case where an error has "serious safety consequences" (may fail an applicant that would have passed otherwise) or where non-consequential errors were made (may pass an applicant that would have failed otherwise). The definition of "non-critical errors" for simulator exams in Draft Rev. 9 appears to be more subjective (open to interpretation) than the guidance found in Final Rev. 8. The industry contends that Final Rev. 8 ES-303 guidance is sufficient and provides the needed flexibility for examiners to apply their well-honed professional judgment when grading simulator competencies. It is also recommended that the behavioral anchor guidance for what constitutes a 3, 2, or a 1 integral rating value be continued in Rev. 9 as well. The industry also recommends removal of the criteria for any

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non-critical errors leading to a score of "1" in an area, unless the non-critical errors cause a significant degradation in plant or public safety or mitigation strategy.

Progress Energy appreciates NRC staff's effort in developing the proposed NUREG-1021 revision 9, and is very interested in how the industry comments are addressed in the final revision.

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Please contact me at (919) 546-4579 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Tony Groblewski".

Tony Groblewski  
Supervisor - Corporate  
Regulatory Affairs

RTG