

2017 National Examiners Conference

Administrative Changes
NUREG 1021, Revision 11

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Agenda

- ES-201: Initial Operator Licensing Examination Process
- ES-202: Preparing and Reviewing Operator Licensing Applications
- ES-204: Processing Excusals and Waivers Requested by Reactor Operator and Senior Reactor Operator Applicants

Agenda

- ES-605: License Maintenance, License Renewal Applications, and Requests for Administrative Reviews and Demands for Hearings
- Appendix E: Policies and Guidelines for Taking NRC Examinations

ES-201 Highlights

- Revises entire exam development schedule (Form ES-201-1)
 - Now starts at day 240 vice day 180
 - Adds 6 weeks for exam prep
 - Adds 2 weeks to review, address comments, and get exam approved
 - Adds item for facility to submit pre-screened K/A's
 - Adds date for NRC to provide written exam outline
 - Adds date for NRC to provide an NRC prepared exam to facility
 - Adds date for facility to submit preliminary waiver and excusal requests

ES-201 Highlights

- Adds terms for defer, excuse and waive
 - Throughout NUREG-1021
 - Definitions in Appendix F
 - **Defer**: To postpone completion of a license application requirement(s) until a later date, typically after the applicant passes an initial NRC licensing examination. An applicant's request to defer a requirement(s) is documented as a "deferral" on NRC Form 398. The applicant **shall** complete the deferred item(s) before the NRC issues a license.
 - **Excuse**: To excuse a reapplicant from the requirement to complete portions of a reexamination or test in accordance with 10 CFR 55.35(b). Granting such a release is referred to as an "excusal."
 - **Waive**: To forgo or relinquish a legal requirement that the NRC is legally entitled to enforce. Forgoing such a requirement is documented as a "waiver." The NRC's ability to waive examination and test requirements is specified in 10 CFR 55.47, "Waiver of Examination and Test Requirements."
- Changes many "should" statements to "**shall**" statements throughout the NUREG

ES-201 Highlights

- Defines the minimum requirement for maintaining examiner proficiency
 - Full written exam
 - Outlines for JPMs and Scenarios
 - *Does NOT account for qualification requirements of IMC 1245 Appendix C10 (must write at least half of JPM's and scenario guides)
- Adds guidance related to eligibility decisions
 - Decisions made on final, signed applications ONLY

ES-201 Highlights

- NRC **shall** provide written exam outlines
 - Licensees can submit pre-screened K/As
 - NRC approves changes to the sample plan
- Facility developed exams **shall** be submitted to NRC under cover letter for initial submittal
- Facility licensee to submit original bank question if it was changed “in any way”
 - Ensures the NRC understands changes to previous questions
 - Not required for only formatting changes (i.e. font, spacing)

ES-201 Highlights

- Licensees **shall** make the simulator available to develop and validate NRC prepared exams
- Licensees must provide chief examiner with list of simulator deficiencies at prep week and at beginning of operating test
 - Allows chief examiner to determine if scenarios and JPMs are still valid for administration
- Licensee develops schedule and proposes which examiner will evaluate which applicant(s)
 - Chief examiner may revise if necessary with justification
 - Provide at least two weeks notice if revision will change crew assignments

ES-201 Highlights

- Adds opportunity for facility to re-validate exams following NRC review
 - Requested by industry
- Adds requirement to notify program office if use of surrogates is contrary to guidance
 - Ensures program office aware of possible impact to equitable exam administration
- Clarifies that an examiner involved in operating test or excusal denial cannot participate in retake
 - Licensing official must also be different for retake
 - Based on LLRT to ensure there is no perception of bias towards the applicant

ES-202 Highlights

- Deletes requirement to request an excusal within one year of previous exam
 - Not supported by regulation
 - Note that ES-204 still has the one year limitation
 - Anything greater than one year must be approved by the program office
- Removes specific references to NRC Forms 396 and 398 block numbers
 - No need to update NUREG if forms change
- Clarifies which positions get credit for reactivity manipulations
 - Must be at-the-controls or balance-of-plant
 - SRO's under instruction in a supervisory role do NOT get credit

ES-202 Highlights

- Adds clarifying guidance related to an applicant/licensee withdrawing from an examination prior to completion
 - Adds sample letters to ES-501
- Specifies information that must be supplied to applicant for a license denial
 - Nature of deficiencies or reasons for denial
 - Applicant's right to demand a hearing within 20 days
- Deletes words that NRC will not accept a re-application if a hearing is in progress
 - Re-application timeline based on date of denial letter and not on the status of any hearings in progress

ES-202 Highlights

- Updates RO and SRO eligibility requirements to be consistent with NANT guidelines
- Revises cold license eligibility to clarify that candidates do not need to satisfy experience requirements before entering the training program
- Removes ability for applicant to request an informal review following denial of an application
 - Originally intended for applications denied BEFORE exam administration
 - If application denied based on medical, applicant can submit supplements to the application to address denial reasons or request a hearing
 - If application denied based on eligibility, applicant can immediately reapply once the deficiencies are addressed or request a hearing

ES-204 Highlights

- Adds guidance to address excusals
- Regions must notify the program office if an excusal/waiver is being denied
 - Written concurrence from the program office is not required
- Adds guidance to address group waivers or deferrals
 - Primarily for new reactors
- Provides examples of justifications for examination waivers
 - Remediation, retesting and retraining performed per facility's SAT program

ES-204 Highlights

- Enhances guidance related to SRO-I receiving an RO license
 - New application is required with justification for waiver
 - Must evaluate RO eligibility and performance on SRO simulator exam
 - Ensure applicant passed RO portion of the written exam
 - Still requires program office concurrence to issue an RO license

ES-605 Highlights

- Adds new section for License Amendments
 - Provides examples of changes that do and do not require an amendment request
 - Legal name, address, license level, permanent medical condition, and adding another unit require an amendment request
 - Amendment request **must** be signed by the individual with the license
 - For medical related amendments, Form 396 is acceptable if signed by license holder
 - All other amendments, e-mail or electronic information exchange is acceptable

ES-605 Highlights

- Clarifies guidance for licensees suspending participation in the Requalification Program
 - Licensee should notify the regional office when any licensed operator is suspended from the requalification program and submit a plan for returning the applicant to current status for requalification prior to the operator resuming duties
 - Do not amend the license
 - Common examples for suspending requalification added to guidance

ES-605 Highlights

- Clarifies reactivation guidance for the supervisory portion of a SRO license
 - Must include a complete plant tour
 - Must include shift turnovers
- Adds guidance for examining physician to consider “drug interactions and dosages” when assessing prescription use
 - Latest version of ANSI/ANS-3.4

ES-605 Highlights

- Clarifies guidance for actions NRC can take for license renewals
 - May ask for further information
 - Either approve renewal or deny application
 - Removes informal review of application denials for eligibility or medical conditions
 - Provides guidance for demanding a hearing

Appendix E Highlights

- Revises written exam guidance to allow 9 hours for full SRO exam
- Clarifies time extensions for taking the written exam only allowed under “uncontrollable” conditions
 - Emergency response, loss of power, building evacuation
 - The applicant is responsible for ensuring his or her physical capability to complete the examination in the allotted time.

Appendix E Highlights

- Clarifies that for the operating test, an applicant cannot solicit technical information from “any other person”
- Clarifies that a facility instructor will act as any necessary personnel outside the control room during the simulator scenarios
 - Examiner no longer responsible for this function

Questions

