

2017 National Examiners Conference

**Post-Examination Process Changes
NUREG 1021, Revision 11
and Appeal Examples
David Muller, NRR/IOLB**

Overview

- ES-501: Initial Post-Examination Activities
- ES-502: Application Denials and Processing Requests for Informal NRC Staff Reviews
- Appeal Examples – Flawed Questions

ES-501 Highlights

- Clarified guidance that post exam comments can also be related to the operating test
 - Post exam comments submitted within 20 days
- Added a requirement that licensees cannot provide the NRC the written exam grades
 - Only applicable if written exam is administered before the operating test

ES-501 Highlights

- Added a requirement that licensees shall also submit applicant post-exam comments (was “should” in Rev. 10) within 20 days
 - Licensee “should” supply a facility position for any applicant comments
- If seven or more questions on RO exam (two or more on SRO exam) are deleted then entire exam shall be evaluated for validity (was “should” in Rev. 10)

ES-501 Highlights

- Revised guidance to ensure the examination supervisory and independent reviews are not biased (if the Chief Examiner performs an independent review, the Chief Examiner cannot sign the issue or deny license block)
- Added guidance pertaining to an SRO applicant requesting an RO license following a failure on the SRO-only exam
 - The SRO applicant must meet eligibility for an RO license and must have been evaluated in the RO position during a scenario

ES-501 Highlights

- Deleted the “holding licenses in abeyance” process
 - Regulations allow for revoking a license
- Provided clarifying information regarding what to verify before issuing a license
 - Satisfy health requirements
 - Medical certification 6 months before licensing
 - SRO-U applicants must be current in requalification

ES-501 Highlights

- Added guidance for Operator Licensing Assistants regarding the following letters:
 - Preliminary Results
 - License Denial
 - Notification
 - Application Withdrawal Notification/Response
- Short-term acting Branch Chiefs cannot make licensing decisions unless authorized in writing by the Regional Administrator

ES-501 Highlights

- Added a requirement to send copies of the failed JPMs to the applicant if that portion of exam was failed
 - May be sent electronically now
- Retained the informal NRC staff review process, no longer a Project Aim item to discontinue these reviews
- Clarified requirements for SRO-U applicants being current in requalification training
 - Prior to RO or SRO duties
 - NRC may require remediation

ES-501 Highlights

- Added guidance related to the examination report
 - Do not need to amend exam report for licenses deferred if exam report clearly specifies this
 - Exam report can be tailored to a specific exam type if a full exam is not administered (i.e., retake)
- Added guidance to evaluate acceptability of the operating test (NRC Form 301-7)

ES-501 Highlights

- Clarified guidance for retaining exam documentation
 - Keep documentation until all proceedings are complete (license issued, appeals, hearings)
- Consult with Regional Council prior to deleting or destroying exam documents
- Clarified that all records are to be retained in ADAMS and paper records should not be retained more than 60 days

ES-501 Highlights

- Added wording to allow for the two year delay in public release of exam materials
- Added new attachment for Application Withdrawal Request and Response letters

ES-501 Highlights

- Revised Attachment 1, “Sample Facility/Applicant Comments and NRC Responses” to allow for applicant comments with facility position
- Revised Attachment 2, “Sample Simulator Fidelity Report” to provide a deficiency number if applicable

ES-501 Highlights

- Revised Attachment 4, “Sample Preliminary Results Letter, Sample Informal NRC Staff Review Acknowledgement Letter and Sample Denial Letter” to include a Preliminary Results Letter
 - Sample Denial Letter includes information regarding E-filing if an applicant requests a hearing

ES-501 Highlights

- Revised Attachment 5, “Sample Notification Letter” to remove any reference to holding licenses in abeyance
- Added Attachment 6, “Sample Application Withdrawal Notification/Response Letters” for two situations prior to completing exam
 - Facility licensee requests applicant withdrawal
 - Applicant withdraws from examination

ES-501 Highlights

- Revised Form ES-501-1 to indicate items that do not need to be documented on a retake examination
 - Added step to ensure facility and applicant comments on the operating test are reviewed

ES-502 Highlights

- Updated the Background portion to reflect Preliminary Results and that the applicant will be notified of all deficiencies
- Clarified that the timeframe for demanding a hearing could be longer than 20 days if specified in the notice
- An applicant can request the NRC to set the application denial date (allows for a more timely retake examination)

ES-502 Highlights

- Added guidance that the licensee should establish a single point of contact if a hearing is demanded
- Eliminated the process of an informal NRC staff review of application denials associated with eligibility or medical issues
- Any application denial will provide for hearing rights

ES-502 Highlights

- Added clarifying guidance for the informal NRC staff review process
 - Review contested items only unless something identified as a direct result of reviewing the contested items
 - Reviewers/appeal panel members cannot be from the affected region
 - Reviewers/appeal panel members cannot be associated with the examination in question

Appeal Examples – Flawed Questions

Unit 1 is at 100% power.

Leakage flow has become just high enough to activate the Flow Switch 1FS-FC015 shown below (print was provided, the flow switch was for fuel pool leakage past a pool gate).

Identify the location(s) where this Flow Switch initiates an alarm.

- A. In the MCR ONLY on panel 1PM13J
- B. In the MCR ONLY on panel 1H13-P601
- C. In the Turbine Building at the Fuel Pool Cooling Panel ONLY
- D. In the MCR AND in the Turbine Building at the Fuel Pool Cooling Panel

Appeal Examples – Flawed Questions

This question was deleted based upon the question testing at a level of knowledge that was inappropriate for an NRC licensing examination

- Minutia
- Does not have a direct, important relationship to the ability to perform the job as a licensed individual
- Not required to be known from memory
- Panel location of the alarm was not included in any lesson plan
- Learning objectives did not include knowing the location of the panel for the alarm from memory

Appeal Examples – Flawed Questions

Given the following conditions on Unit 1:

- Unit is at 100% RTP

Subsequently:

- 1C NC pump trips due to an operator error on the Main Control Board
- The crew verifies the reactor trips

1C S/G N/R level will initially (1) than the other S/Gs after the 1C NC pump trips. NC loop 1C delta T would initially be (2) than the other NC loops delta Ts.

Which ONE (1) of the following completes the statements above?

- A. 1. shrink lower 2. lower
- B. 1. swell higher 2. lower
- C. 1. swell higher 2. higher
- D. 1. shrink lower 2. higher

Appeal Examples – Flawed Questions

This question was deleted for having no definitive correct answer.

- The word “initial” in the question stem was unclear, especially given that the reactor trip will occur 2.5 seconds after the reactor coolant pump trip
- The reactor trip masks any differences in S/G response from a tripped reactor coolant pump
- Had the question been stated from a lower power level, without a reactor trip, answer choice A would have been correct

Questions

