



UNITED STATES
NUCLEAR REGULATORY COMMISSION
ADVISORY COMMITTEE ON REACTOR SAFEGUARDS
WASHINGTON, D. C. 20555

ACRSR-1382

PDR

December 20, 1989

The Honorable Kenneth M. Carr
Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Chairman Carr:

SUBJECT: PROPOSED AMENDMENT TO 10 CFR PART 55, OPERATORS' LICENSES, TO
INCLUDE "FITNESS-FOR-DUTY" PENALTIES

The members of the Advisory Committee on Reactor Safeguards discussed this issue during our 356th meeting, December 14-15, 1989. This matter was also discussed during a meeting of our Subcommittee on Human Factors on December 12, 1989. Members of the NRC staff and representatives of the nuclear industry participated in these meetings. We also had the benefit of the document referenced.

The staff has developed proposed rule changes to establish penalties for operators who hold licenses under 10 CFR Part 55 and have failed to comply with the "fitness-for-duty" requirements of 10 CFR Part 26, Fitness-for-Duty Programs. Amendments to 10 CFR Part 50, Domestic Licensing of Production and Utilization Facilities, and 10 CFR Part 2, Rules of Practice for Domestic Licensing Proceedings, will require that compliance with the conditions and cutoff levels established in 10 CFR Part 26 becomes a condition for holding an operator or senior operator license. Failure to comply can result in sanctions ranging up to revocation of a license for a third offense.

We concur in the staff's plan to issue the proposed amendment for public comment.

Sincerely,

Carlyle Michelson
Acting Chairman

Reference:

Draft SECY Paper for the Commissioners from James M. Taylor, Acting Executive Director for Operations, Subject: Proposed Revision of 10 CFR Part 55 to Require Compliance with Fitness-For-Duty Programs and Conforming Modification to Commission's Enforcement Policy, received November 20, 1989.

RSO'

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