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SECRETARY
DOCKETING & SERVICE
BRANCH

Secretary of the Commission
U.S. Nuclear Regulator Commission
Washington, DC 20555

ATT: Docketing and Service Branch

Dear Sir:

This letter is in response to your request for public comment on the proposal to ammend 10 CFR55 to eliminate the opportunity for adjudicatory hearings when an applicant has failed either the written or operating test or both.

My first reaction is that the Commission is again demonstrating an insensitivity for the person who is trying to become licensed. Every candidate for a license invests a great deal of time and effort for periods up to one year prior to taking the N.R.C exam. After that much "blood, sweat and tears", I believe that a candidate and his family deserve every reasonable opportunity to get his license.

Secondly, the purpose of the exam process is to assure that knowledgable, professional, but most of all, safe operators are staffing nuclear plants. The Sept. '82 SRO exam at Nine Mile Pt. seems to contradict this purpose. The two SRO upgrade candidates who failed the exam were the most experienced, knowledgable and respected R.O. licensed operators in the class. They were not the best students in the class so they failed (27 total years experience lost).

Another area of criticism regarding the written exam is the weight given to the various categories under the new exam format. It seems incredible that Category 6, Theory of Operation, is only worth 10%, while Category 10, Administrative Procedures, is worth 25% of the exam. I believe that a safe operator is one who understands what is going on, not one who has memorized a book.

Again on the subject of exams, it seems unfair that exceptional performance on one part of the exam cannot help to balance marginal performance on another part. A candidate who is way above average on demonstration and walk through gets no better grade than one who is only adequate. The superior operator receives no benefit for his performance while taking the written exam. I think we all have met people who know their jobs, but cannot verbalize or write down what they know without help. A good operator who knows his plant deserves this help on the written.

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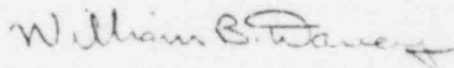
As it stands, the three sections of the exam are like three separate one-way streets that can only take you downhill, never up.

I think that the Commission recognizes that there are glaring weaknesses in the exam procedure otherwise, why was Oak Ridge hired to study and recommend improvements in the process. Until the exam process is infallible, the candidate deserves every recourse at his disposal.

Third, the execution of the exam procedures has deteriorated markedly over the past several years. We now have situations where the exam grader was not at the exam critique and was not informed as to the true or acceptable answer to many questions as happened at Nine Mile on the Fall 1981 R.O. exam. Because of this, many correct answers are not accepted because they do not contain the "key words" or "catchy phrases" the grader is looking for. The Commission never hears about this as long as the candidate receives a passing grade overall, but it happens on nearly every exam. Continuing with poor exam administration, we find that we now have a lot of inexperienced consultants working for the Commission who only do a small part of the exam that could fail a candidate. The consultant who certified an operator on the Startup demonstration was certified himself, only one day prior to administering to the candidate. I took an R.O. exam in March 1981, written by a consultant who had never been in a BWR Control Room until the day he arrived to give the test at Nine Mile. In short, until the Commission can guarantee the quality, experience and expertise of the examiner, you owe the person examined every benefit of doubt.

I would point out that simply because no one has ever used this hearing process does not imply that it is unnecessary. This line of thinking would imply that since the lifeboats have never been used we don't need them onboard the ship. The NRC holds tremendous power to control the career, pay, advancement and job security of every license candidate. That power must be subject to a system of checks and balances as long as the Commission is staffed by humans capable of human error.

Thank you,



William B. Davey
SGP 4414, OP 5469, OP 4179