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July 9, 1993

Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Attn: Docketing and Service Branch

Subject: Comments on Proposed Rule, Operators' Licenses,
(58 FR 29366, May 20, 1993)

The following are comments on the proposed rule change for Operators' Licenses referenced above. The Federal Register notice provides the opportunity for comment and we ask that the following be considered. We urge that the proposed change be reconsidered, at least for the Vermont Yankee Nuclear Plant. Were it not for the regulation presently in place, we believe the health and safety of the people of Vermont could have been effected adversely.

The proposed change would eliminate the requirement for the Nuclear Regulatory Commission (NRC) to conduct and supervise individual operator requalification examinations during the term of an operator's 6-year license. Instead, requalification examinations would be the sole responsibility of the facility licensee.

In February, 1991, the Vermont Yankee Nuclear Plant was inspected in accordance with the existing regulation and found to have a failed licensed operator requalification (LOR) program. See Inspection Report 50-271/91-02 (OL) and Confirmatory Action Letter I-91-007. As outlined in the inspection report, the failed LOR program was a result of NRC grading of operator crew requalification performance; if licensee grading had been used, the LOR program would not have been considered a failed program. Thus, it was specifically because the NRC conducted individual requalification examinations that Vermont Yankee's failed LOR program was detected. Without this NRC responsibility, it is unclear whether the resulting beneficial corrective actions would have occurred (facility NRC inspections had not identified the failed LOR program).

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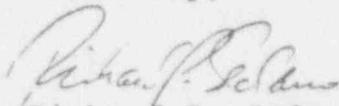
Part of the basis for the proposed rule is not accurate, at least for Vermont Yankee. In the Background for the proposed rule the following is stated (58 FR 29366):

"Pilot requalification examinations were conducted in August through December of 1991 ... In conducting the pilot examinations, the NRC examiners and the facility evaluators independently evaluated the crews and compared their results. The results were found to be in total agreement...The performance of the facilities' evaluators during the pilot examinations further confirmed that the facility licensees can find deficiencies, and remediate and retest their licensed operators' appropriately."

While the pilot requalification examinations found agreement between NRC and facility examiners, just six months earlier at Vermont Yankee, lack of agreement in the same area was clearly documented. Therefore, this background statement should be reconsidered, at least for Vermont Yankee.

We consider having a failed LOR program to be a serious occurrence, potentially affecting the people of our state. With the proposed rule change in effect, we do not have confidence that Vermont Yankee's failed LOR program would have been detected and corrected. Therefore, we urge that you reconsider and rescind the proposed change.

Sincerely,


Richard P. Sedano
Commissioner
State Liaison Officer