



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

NOV 01 1993

"AE 39-2"

"PDR"

Raj A } For your Action  
Tony D }  
Part T } Pl. check if  
          } generic guidance  
          } need modifications.

MEMORANDUM FOR: Sher Bahadur, Chief  
Regulation Development Branch  
Division of Regulatory Applications  
Office of Nuclear Regulatory Research

FROM: Brenda J. Shelton, Chief  
Information and Records Management Branch  
Division of Information Support Services  
Office of Information Resources Management

Shelton  
11/8

SUBJECT: 10 CFR 55, FINAL AMENDMENTS ON RENEWAL OF LICENSES AND  
REQUALIFICATION REQUIREMENTS FOR LICENSED OPERATORS

We have reviewed the subject final rule and the Office of Management and Budget (OMB) clearance package for compliance with the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.) and have no comments on the rule other than to request that you change the Paperwork Reduction Act Statement to Enclosure 1 to indicate that the rule reduces the information collections associated with "Reactor Operator and Senior Reactor Operator Licensing Training and Requalification Programs" and to remove reference to the OMB clearance for 10 CFR Part 55, "Operators' Licenses."

Comments on the OMB clearance package are annotated on the enclosed copy. Because the information collections impacted by this rule change are approved under a separate OMB clearance instead of the clearance for 10 CFR 55, there is no need for OMB approval of the rule. The final rule has been placed on hold in the Office of Administration and will be released after the Paperwork Reduction Act Statement has been revised to reflect our requested changes.

Should you require further assistance, please contact Beth St. Mary at 492-8540.

Brenda Jo. Shelton, Chief  
Information and Records Management Branch  
Division of Information Resources Management  
Office of Information Resources Management

Enclosures:  
As stated

cc: A. Dipalo, RES  
F. Collins, NRR  
M. Lesar, ADM

B. J. READ  
S. WICKETT

PAPERWORK REDUCTION ACT STATEMENT

This final rule amends information collection requirements that are subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). These requirements were approved by the Office of Management and Budget, approval number 3150-0101.

The rule will relax existing information collection requirements for the separately cleared, "Reactor Operator and Senior Reactor Operator Licensing Training and Requalification Programs." The public burden for this collection of information is expected to be reduced by \_\_\_\_\_ hours per licensee. This reduction includes the time required for reviewing instructions, searching existing data sources, gathering and maintaining the data needed and completing and reviewing the collection of information. Send comments regarding the estimated burden reduction or any other aspect of this collection of information, including suggestions for reducing this burden, to the Information and Records Management Branch (MNBB-7714), U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001; and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-3019, (3150-0101), Office of Management and Budget, Washington, D.C. 20503.

U.S. NUCLEAR REGULATORY COMMISSION

Documents Containing Reporting or Recordkeeping Requirements\*

Office of Management and Budget (OMB) Review

AGENCY: U.S. Nuclear Regulatory Commission (NRC)

ACTION: Notice of the OMB review of information collection.

SUMMARY: The NRC has recently submitted to the OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35).

1. Type of submission, new, revision, or extension: Revision

2. The title of the information collection: *Reactor Operator* Final Amendments *and Senior Reactor Operator Licensee Training* to 10 CFR Part 55, On Renewal of Licenses and *and Requalification Programs* Requalification Requirements For Licensed Operators

3. The form number if applicable: N/A

4. How often the collection is required: Annually (upon request only by the NRC) *do this accurate? Should it be changed to "upon request by NRC" ?*

5. Who will be required or asked to report: ~~All~~ power and non-power reactor licensees.

6. An estimate of the number of annual responses: 8 for power reactors and 4 for non-power reactors

7. An estimate of the total number of hours needed to complete the requirement or request: 32 hours annually for power reactors (approximately 4 hours per response) and 2 hours annually for non-power reactors (approximately 0.5 hours per response) *for certain licensees to submit representations.*

8. An indication of whether Section 3504(h), Pub. L 96-511 applies: *There is an overall reduction of [unclear] hrs per licensee for licensees who no longer will submit material for NRC preparation of representations.*  
Not Applicable

9. Abstract: The Nuclear Regulatory Commission (NRC) is amending its regulations *at 10 CFR Part 55* to: (1) delete the prerequisite for license renewal that each licensed operator pass a comprehensive requalification written examination and an operating test conducted by the NRC during the term of the operator's 6-year license, (2) require facility licensees to submit upon request copies of each annual operating test or comprehensive written examination used for operator requalification to the NRC for review, and (3) amend the "Scope" provisions of the regulations pertaining to operators' licenses to include facility licensees.

*Add need & use of the information*

Copies of the submittal may be inspected or obtained for a fee from the NRC Public Document Room, 2120 L Street, NW. (Lower Level), Washington, DC 20555.

Comments and questions should be directed to the OMB reviewer:

~~Ronald Minsk~~ *Tom Hunt*

Office of Information and Regulatory Affairs  
(3150-0018 and 3150-0101)  
NEOB-3019  
Office of Management and Budget  
Washington, DC 20503

Comments can also be submitted by telephone at (202) 395-3084.

NRC Clearance officer is Brenda Jo. Shelton, (301) 492-8132.

Dated at Bethesda, Maryland, this            day of            1993.

For the Nuclear Regulatory Commission

---

Gerald F. Cranford, Designated Senior Official  
for Information Resources Management

SUPPORTING STATEMENT

FOR

~~10 CFR PART 55, OPERATORS' LICENSES, FINAL RULE~~

*Revision to Reactor Operator and Senior Reactor Operator Licensing Training and Qualification Programs*  
(OMB Clearance No. ~~3150-0018~~ and 3150-0101)

DESCRIPTION OF INFORMATION COLLECTION

The Nuclear Regulatory Commission (NRC) is amending its regulations to delete the requirement at § 55.57(b)(2)(iv) that each licensed operator pass a comprehensive requalification written examination and annual operating test conducted by the NRC during the term of the operator's 6-year license as a prerequisite for license renewal. The amendment at § 55.59(c) will require facility licensees to submit upon request copies of each annual operating test or comprehensive written examination used for operator requalification to the Commission for review. In addition, the final rule will amend the "Scope" provisions of the regulations pertaining to operators' licenses to include facility licensees.

*Add Section A*  
*The burden of these changes is encompassed in a separate clearance, "Reactor Operator Instruction" OMB clearance number 3150-0101.*

Section 306 of the Nuclear Waste Policy Act (NWPA) of 1982 authorized and directed the NRC "to promulgate regulations, or other appropriate Commission regulatory guidance, for the training and qualifications of civilian nuclear power plant operators, supervisors, technicians and other appropriate operating personnel." The regulations or guidance were to "establish simulator training requirements for applicants for civilian nuclear power plant operator licenses and for operator requalification programs; requirements governing NRC administration of requalification examinations; requirements for operating tests at civilian nuclear power plant simulators, and instructional requirements for civilian nuclear power plant licensee personnel training programs."

*No longer have to justify rule since we are addressing only the changes in the separate clearance.*

In eliminating § 55.57(b)(2)(iv), the NRC will use the provisions of § 55.59(a)(2)(iii) to meet the requirements of Section 306 of the Nuclear Waste Policy Act (NWPA) of 1982 to assure that licensed operators are being adequately trained and examined in the facility licensee requalification programs. Section 55.59(a)(2)(iii) provides that the NRC may conduct requalification examinations in lieu of accepting the facility licensee's certification that a licensed individual has passed the facility requalification examination. The NRC will use this authority to conduct requalification examinations "for cause" at any facility where the NRC believes that ineffective training caused operators to commit errors.

Currently, facility licensees assist in developing and coordinating the NRC-conducted requalification examinations. The assistance includes providing to the NRC the training material used for development of the written examinations and operating tests and providing facility personnel to work with the NRC during the development and conduct of the examinations. The final rule would: (1) eliminate the regulatory burden on the facility licensees to assist the NRC in developing and conducting NRC requalification examinations for licensed operators, and (2) require facility licensees to submit upon request copies of their requalification examinations or annual operating tests to the NRC for review. The revision of the "Scope" of Part 55 is not expected to change any burden because it only eliminates currently existing ambiguities between the

INSERT A

OMB approved the information collections for OMB clearance 3150-0101 on July 15, 1993, in conjunction with its review of the proposed rule, 10 CFR Part 55, "Operator Licensing." However, in the final rule, the information collections at 55.57(b)(2)(iv) were modified from the requirement to submit copies of all proposed examinations 30 days prior to administering them to the requirement to submit them only upon NRC request, further reducing the estimated burden by 353 hours.

regulations of Parts 50 and 55. Part 50, in sections § § 50.54(i) through (m), already imposes Part 55 requirements on facility licensees, and Part 55 already specifies requirements for facility licensees. The requirements in this 10 CFR Part 55 rulemaking (OMB clearance number 3150-0018) are covered under a separate clearance package, "Reactor Operator and Senior Reactor Operator Licensing, Training and Requalification Programs," OMB clearance number 3150-0101.

There are 75 power reactor and 42 non-power reactor facility licensees affected by these requirements. These licensees will submit copies of comprehensive requalification written examinations or annual operating tests upon request by the NRC. This request may result from operational problems for which operator error is a major contributor; requalification inspection results indicating an ineffective licensee requalification program; or a SALP 3 rating in plant operations attributed to operator performance.

The "Requalification Examination Feedback Form" covered under OMB Clearance 3150-0159 will no longer be required after the effective date of the final rule implementing the proposed amendments. The reason for this is that the amount of information and the frequency of its collection would no longer be sufficient to provide useful feedback.

#### A. JUSTIFICATION

##### 1. Need for Collection of Information

~~The proposed change to § 55.2, "Scope," is not expected to result in the collection of any new information.~~

*The deletion of*  
The proposed change to delete § 55.57(b)(2)(iv) will no longer require the NRC to conduct requalification written examinations or annual operating tests. Under this requirement, no collection of new information will occur. The resources saved can be redirected to inspect and oversee facility requalification programs to improve operational safety at each facility.

*requirement at 55.57(c)*  
The information collection for the amendment to submit upon request copies of requalification written comprehensive examinations or annual operating tests to the NRC will have a minimal burden on the licensees. These examinations or tests will be submitted consistent with the inspection program needs and sustained effectiveness of a licensee's examination or simulator scenario banks. Inspection findings that indicate a deterioration in the quality, diversity, or effectiveness of a licensee's examination or simulator scenario banks could prompt a request for submittal of additional examinations for NRC review.

*What about the submittal of material for NRC to prepare partial requal. exams for <sup>3</sup> power and <sup>7</sup> non-power licensees (that was in the proposed rule supporting statement). Has this been eliminated?*



2. Agency Use of Information

The new information required by the proposed § 55.59(c) (i.e., submit upon request copies of each comprehensive requalification written examination or annual operating test) will be used to determine if the facility licensees' requalification examinations conform with § § 55.59(a)(2)(i) & (ii) and need for any further action.

3. Reduction of Burden Through Information Technology

There is no legal obstacle to the use of information technology. Moreover, NRC encourages its use.

4. Effort to Identify Duplication

This information does not duplicate nor overlap other information collections made by the NRC or other government agencies. The information requested is unique to the organization and is of importance only to the NRC. *The Information Requirements Control*

*Automated System (INCRAS) was searched for duplication, and one was found.*

5. Effort to Use Similar Information

This information is available only from the facility.

6. Effort to Reduce Small Business Burden

This information collection does not involve any small businesses.

7. Consequences of Less Frequent Collection

On a case by case basis, copies of facility comprehensive requalification written examinations or annual operating tests may be required to be submitted upon request to the NRC for review to assure that the examinations and tests are comprehensive and meet the requirements of § § 55.59(a)(2)(i) & (ii). The basis for these submissions will be "for cause" only, which could result for example, from a SALP category 3 rating, or for operational problems for which operator error is a major contributor. In all cases it is intended that this requirement would assure that the NRC would continue to meet the requirements of Section 306 of the Nuclear Waste Policy Act (NWPA) of 1982 for NRC administration of requalification examinations. It would also assure the NRC that licensed operators are being adequately trained and examined in the facility licensee requalification programs.

8. Circumstances Which Justify Variations from OMB Guidelines

This request does not vary from OMB guidelines.

9. Consultations Outside the NRC

There have been no formal consultations outside the NRC. The proposed rule was published for public comment on May 20, 1993, *the cost assessments were considered in the preparation of the final rule.*

10. Confidentiality of Information

The information is not available for public inspection. Some information is proprietary in nature.

11. Justification for Sensitive Questions

No sensitive information is requested.

12. Estimated Annualized Cost to the Federal Government

NRC review of written examination and operating tests \* :

<u>Licensees Affected</u>	<u>Hours per Licensee</u>	<u>Total Burden</u>	<u>Government Cost at \$123/Hr</u>
Power Reactor: 8	32	256	\$ 31,488
Non-power: 4	16	64	\$ 7,872

Totals (annualized): <sup>320</sup> \$39,360 <sup>132</sup> 42,240

*What about NRC cost for preparation of these exams?*

*add: This cost is fully recovered through fee assessments to NRC licensees pursuant to 10 CFR Part 171. still accurate?*

*final cost* This represents a savings of about \$975,000 when compared to the current cost to the Government to administer requalification examinations.

13. Estimate of Industry Burden and Cost

Submittal of written examination and operating tests \* :

<u>Licensees Affected</u>	<u>Hours per Licensee</u>	<u>Total Burden</u>	<u>Licensee Cost at \$123/Hr</u>
Power Reactor: 8	4	32	\$ 3936
Non-power: 4	0.5	2	\$ 246

Additional copying and mailing cost for power reactor licensees: \$ 800 (at \$100 per licensee)

Note: \* Assumes that on average, the staff will review written examinations and/or operating tests for 8 power reactors and 4 non-power reactor licensees annually because of unsatisfactory requalification program inspection results.

*Need to indicate total reduction of burden. Based on PR which reduced current burden by 5 hours, if an assuming current burden is reduced by 358 hrs. (Burden for PR = 387 hrs; for FR = 34 hrs; difference = 353 hrs. of PR assumed 5 hr decrease over current regulation, total reduction = 358 hrs.)*

Additional copying and mailing cost for non-power reactor licensees:  
\$ 40 (at \$10 per licensee)

TOTAL LICENSEE COST: \$ 5,022 5325

*What about submitted & partial material for NRC to prepare exams?*

14. Reasons for Change in Burden

The change to the "Scope" of Part 55 is not expected to change any burden. The change in burden for implementation of the amendments to delete 10 CFR 55.57(b)(2)(iv) and to submit copies upon request of the requalification written examination and annual operating test will significantly reduce the burden hours on the licensee and NRC. This reduction in burden hours on the NRC will allow its resources to be redirected toward oversight and inspection of facility requalification programs. This action will improve operational safety at the facilities.

15. Publications for Statistical Use

This information is not published for statistical use.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Statistical methods are not used in this information collection.