OLMC-160
November 2022

# REPORT ON INTERACTION PROCESS

## A. PURPOSE

The purpose of this OLMC is to establish a system for processing the interactions regarding operator licensing between the regional offices and the Office of Nuclear Reactor Regulation (NRR) such that the following criteria are met:

- New policies or policy changes that affect the procedures and practices for examining, licensing and re-licensing power reactor operators and senior operators, pursuant to Part 55 of Title 10 of the *Code of Federal Regulations* (10 CFR 55), are consistently implemented by all the regional offices.

- Policy interpretations applicable to the operator licensing process are only made by NRC headquarters and are consistently implemented by all the regional offices.

- Non-routine deferral, excusal, and waiver requests, as described in NUREG 1021, shall be submitted to the Program Office for review and approval.

## B. BACKGROUND

F

- Pursuant to ADM-200, "Delegation of Signature Authority," the branch chief of the operator licensing program office will provide "response to requests from regions for support" for examining, licensing and re-licensing power reactor operators and senior operators in accordance with 10 CFR 55. The program office is responsible for ensuring that the regional offices consistently implement the operator licensing process in accordance with established procedures and regulations.

- Frequent interactions occur between the regional offices and the program office dealing with the interpretation of policy, guidance associated with applicant eligibility, and other aspects of the operator licensing process.

- The formal Report on Interaction (ROI) system was established to document these interactions and to assist in consistent implementation of program policy among the regional offices. This system includes an efficient and timely means of distribution and filing to minimize the loss or duplication of information. Furthermore, this system facilitates the consistent application of policy by the program office and the regional offices.

C. IMPLEMENTATION

1. Interactions requiring the Report on Interaction (ROI) system:

    - All operator licensing interactions with the regional offices that require a formal interpretation of policies, practices, regulations, NUREGs, or other applicable directives, shall be documented and submitted to the program office on an ROI Form (Attachment 1).

    - Interactions such as non-routine excusal and waiver requests by license applicants, deferrals of experience or eligibility requirements.

        - During non-emergent situations, the program office staff will not provide a decision based on informal telephone or e-mail requests for policy interpretation. However, informal communications with the program office are appropriate to verify that an intended interaction is necessary, to establish a common understanding of the issue, or to solicit assistance in developing a suggested resolution.

    - NUREG-1021 identifies certain conditions or situations that require the regional office to "consult" the NRR operator licensing program office. In these situations, the regional office should first contact the Chief, IOLB, or his/her designee, to discuss the specific situation. Typically, the result of the consultation with IOLB for situations or conditions that are or will be performed in accordance with policies, practices, regulations, NUREGs, or other applicable directives may be documented with an email, with the consent of both IOLB and the regional office, and filed in the facility exam file and/or applicant's docket file, as applicable. An ROI may be needed if it is determined that the other criteria for an ROI are met (e.g., the first two bullets listed above)

2. Guidance to individuals initiating a Report on Interaction (ROI):

    - Before drafting the ROI, check the yearly ROI Index on the IOLB SharePoint website and review any previously drafted ROIs to prevent duplication.

        - IOLB SharePoint ROI Index can be referenced at: https://usnrc.sharepoint.com/:f:/r/teams/NRR-Operator-Licensing-Branch/Shared%20Documents/ROI%20Indices?csf=1&web=1&e=nmhZM6

        - Individual folders containing each year's ROIs are found in the Agency-Wide Documents Access and Management System (ADAMS)

Main Library under **NRR/NRR-DRO/NRR-DRO/IOLB/ROIs.**
https://adamsxt.nrc.gov/navigator/bookmark.jsp?desktop=ADAMS&repositoryId=MainLibrary&docid=Folder%2C%7BFADD9FBE-4595-43E6-B85B-8F2B7707A2E9%7D%2C%7B08B0EC69-DACE-4C0C-922E-8B667CD38523%7D&template_name=Folder&version=current

  - If a previous ROI exists that answers the specific issue requiring program office interpretation, then consult that ROI for guidance. If all questions are still not answered for the current interpretation question, then submit a new ROI to the program office. (This does not apply for license waivers or deferrals as NUREG-1021 requires these to be approved by the program office. Previous ROIs concerning waivers or deferrals provide precedence, but they do not provide approval of future actions.)

- Contact the program office's Operator Licensing Assistant (OLA) to request the next sequential ROI number. Provide program office OLA with ROI title.

- ROIs that are generated regarding an applicant's experience or eligibility should be sent to the program office prior to submittal of applicant's final application. This allows the program office sufficient time to prepare the ROI response. Once the final applications are received, and the experience/eligibility matches the stated conditions in the ROI, the program office will issue the final ROI.

- Operator licensing processes may require that Personally Identifiable Information (PII) is utilized. However, the Report on Interaction (ROI) should NOT include PII to the maximum extent possible.

  - Redact all PII before submitting the ROI to the program office.

  - If necessary to include PII, contact the program office prior to submitting the ROI.

  - Program office will evaluate the need to include PII with the ROI and provide additional guidance for ROI submittal.

- ROI initiator will complete Attachment 1 by filling out the following sections:

  - Interaction No.
  - Subject
  - Type of Action (Check appropriate)
  - From/To
  - Additional Information

   - Background
   - Recommended Action/Resolution

- The initiator must provide or attach sufficient background information on Attachment 1 for the program office to understand and resolve the issue.

- The initiator should also provide a suggested resolution and a reasonable proposed due date.

   - The initiator should assess ROI complexity to determine proposed due date. ROIs involving operator eligibility, and OGC concurrence may take longer than other types of submitted ROIs.

- Provide proposed ROI to the regional branch chief for review and concurrence.

3. Regional branch chief ROI responsibilities:

- Review and provide concurrence of any ROI that originates in the region and forward the ROI any supporting information to the NRR Program office OLA and to the operator licensing program office branch chief.

- Distribute finalized ROIs to regional OL staff.

4. Process for program office generated ROIs:

- Periodically, the program office will determine a need to provide information to the regions through a program office generated ROI.

- The individual initiator process for a program office generated ROI is similar to the individual process described above, with the following exceptions:

   - The initiator of the ROI shall not provide input to the resolution process more than providing information in the “Recommended Action/Resolution” section of Attachment 1.

   - OL program office branch chief cannot initiate an ROI. Program office staff will initiate the ROI.

   - ROIs generated in the program office will be approved by the program office branch chief.

5. NRR program office OLA responsibilities:

    - When requested, provide ROI initiator with next sequential ROI number.

        - ROI sequential number is obtained via the ROI Index located on IOLB SharePoint site referenced above. OLA should distribute the next ROI number in succession to the ROI initiator.

    - Once the regional offices send the ROI to the program office OLA, the ROI is to be forwarded to the operator licensing program office branch chief, if not included in e-mail from region.

    - Update ROI Index with ADAMS accession number and date of dispatch received from the administrative assistant (AA).

    - Maintain a record of all unresolved draft ROIs and those that have been sent to OGC for concurrence.

6. Program office responsibilities for proposed ROIs:

    - The operator licensing program office branch chief receives a proposed ROI and ensures the OLA enters it in the ROI assignment tracker.

    - The OL program office branch chief assigns a program office staff member to review the ROI.

    - The program office staff reviews the ROI and works with the regional staff, as necessary, to facilitate final resolutions and to adjust the due date for any ROI that cannot be completed by the date proposed.

    - The program office staff documents final resolution of the ROI and ensures proper admittance to the ADAMS Main Library per instructions provided in Section C.9.

    - The ROI is routed for approval via:

        - The program office staff routes the ROI with finalized resolution to the operator licensing program office branch chief.

- The operator licensing program office branch chief approves and signs the ROI.

- The program office staff routes the approved ROI to the Administrative Assistant for final distribution.

- The operator licensing program office branch chief ensures an update is performed for any policy clarification or interpretation (generally in the form of a question and answer) on the operator licensing feedback web site: https://www.nrc.gov/reactors/operator-licensing/prog-feedback.html

- Final resolutions that require follow-up action, such as a revision to NUREG-1021, "Operator Licensing Examination Standards for Power Reactors," will be reviewed and tracked by program office staff, as designated by the operator licensing program office branch chief.

- The operator licensing program office branch chief periodically reviews the ROI Index record to ensure that ROIs are finalized in a timely manner consistent with the proposed due dates and that any associated follow-up actions are initiated.

7. Program office administrative assistant (AA) responsibilities:

- The AA enters the approved ROI into ADAMS in accordance with Section C.9.

- The ADAMS ML Accession Number is added to Attachment 1 of the ROI which is to be added to ADAMS.

- The AA distributes the ROI ADAMS Accession Number to all operator licensing branch chiefs and OLAs via e-mail.

8. ROIs requiring Office of the General Counsel (OGC) concurrence:

- Every ROI shall go to OGC unless the program office determines that OGC concurrence is not warranted (for example, OGC has previously provided concurrence on another, similar ROI).

  - If such a determination is made, a justification for not providing the ROI to OGC must be provided. If there is any doubt, the ROI shall go to OGC.

- Any ROI resolution that involves an interpretation of a regulation will be sent to the operator licensing contact in the Office of the General Counsel (OGC) for concurrence.

- The operator licensing program office staff is to send proposed ROIs to OGC via the following e-mail: RidsOgcMailCenter Resource RidsOgcMailCenter.Resource@nrc.gov

- OGC concurrence is not limited to interpretation of a regulation.

- OGC may require a formal tasking memorandum before performing any work on the issue, and it should be noted that the expected response time for routine items can be lengthy.

- The program office staff will coordinate the final resolution of these interactions commensurate with the OGC recommendation.

- Staff should consider notifying the Commission prior to authorizing any ROI whose resolution would result in a substantial departure from the processes specified in NUREG-1021.

9. Processing an ROI with an approved final resolution into ADAMS:

    - The program office staff will document the final resolution and add the electronic document and supporting documentation to ADAMS in accordance with NRC Form 665 and using the guidance provided on NRC Form 665, Instruction and Cheat Sheet, ML15313A310.

    - The following guidance is provided to assist in completing NRC Form 665 pertaining specifically to ROIs:

        - ROIs are submitted to the ADAMS Main Library under NRR/NRR-DRO/NRR-DRO/IOLB/ROIs.

        - The Document Title for the ROI will be in the format: “ROI-YY-##: [Brief Title]”.

        - Place the following in the “Document Title(s) or Accession No.” box beneath the ROI title:

            - “Special Instructions: Please upload the file to the **NRR/NRR-DRO/NRR-DRO/IOLB/ROIs/CY 20##** folder within ADAMS.”

  - All ROIs are designated as “Non-Publicly Available”.
  - Sensitivity classifications as follows:
    - B.1: Non-Sensitive – no PII information is included
    - A.5: Sensitive – Privacy Act (if PII information is included)
  - Document SECURITY ACCESS LEVEL should be completed as follows:
    - “NRC Users” should NOT be checked
    - Check “Limited Document Security” box
    - List the following individuals as “Owner”:
      - NRR Admin
      - Reviewer (by name)
      - Document Processing Center
      - OL program office branch chief (by name)
      - IOLB Generator of Response (by name)
    - List the following as “Viewer”:
      - “NRR-Operator Licensing Group”

- The program office administrative assistant will e-mail the ADAMS accession number to all operator licensing branch chiefs, each regional OLA and the NRR Program Office OLA when the ROI is final and has been placed in ADAMS. Additional distribution will be as listed on the ROI.
  - All completed ROIs are filed by calendar year and by ROI number in ADAMS.
  - The NRR program office OLA will update the yearly ROI Index in SharePoint on a quarterly basis.

- ROIs are internal documents and will generally not be publicly available in ADAMS or posted directly on the web site; most ROIs are very specific in nature and do not merit conversion and posting on the web site.

- Per ADM-200, division director approval is required if the issue involves policy guidance or programmatic direction (e.g., a policy change, policy interpretation, new guidance, or significant change to current guidance). Otherwise, the operator licensing program office branch chief may approve the final action.

- All regional operator licensing branch chiefs will ensure that their respective OLA and examiners maintain access to the ADAMS file directory for completed ROIs. This will ensure that the NRC Operator Licensing Program is consistently implemented and applicable guidance and policies are readily available to all operator licensing personnel attached to each region. Hard copies are not necessary if the files are readily accessible in ADAMS (e.g., in a folder/directory to which every examiner in the regional offices has viewer rights).

10. Revising an ROI after initial submittal:

    - For ROIs that require changes after their initial submittal, a revised ROI may be submitted.

    - The interaction number will be annotated with an “R” to reflect a revision to the original submittal (i.e., an ROI with an interaction number of “14-08,” would be resubmitted as “14-08R”).

    - A note will also be added to the ROI Index stating that the original ROI was cancelled upon receipt of the revised ROI (i.e., “ROI 14-08 cancelled on receipt of ROI 14-08R”).

    - If subsequent revisions are required, they will be annotated with the number of the revision following the “R,” and the ROI Index will be annotated as above (i.e., “ROI 14-08R cancelled on receipt of ROI 14-08R2”).

    - The original ROI will be moved to the ADAMS folder for archived and superseded ROI’s if it was previously approved and issued. Process the revised ROI in accordance with the applicable portions of this OLMC.

11. Withdrawing an ROI prior to obtaining final resolution:

    - If a region submitting an ROI wishes to withdraw an ROI without obtaining a final resolution, the following guidance will be used:

        - The branch chief from the region that submitted the original request may submit a request (e-mail is acceptable) to withdraw an ROI for which a final resolution has not been issued. This request will be considered a “withdrawal.”

- The withdrawal request will be sent to the OL program office branch chief and to the NRR program office OLA.

- Once a withdrawal request is received, the program office will annotate the ROI Final Action/Resolution to capture that the originating region withdrew the ROI, as well as the effective date of the withdrawal (e.g., "ROI YY-## withdrawn on [Month]/[Day]/[Year]").

- The NRR program office OLA will ensure that the withdrawn ROI is annotated in the yearly ROI Index as "WITHDRAWN" (may be performed as part of the quarterly update).

- If the program office has developed an ROI and decides to withdraw an ROI prior to obtaining a final resolution, the following guidance will be used:

  - The withdrawal request will be sent to the OL program office branch chief and to the NRR program office OLA.

  - Once the withdrawal request is received, the program office OLA will annotate the ROI Final Action/Resolution to capture that the originator withdrew the ROI, as well as the effective date of the withdrawal (e.g., "ROI YY-## withdrawn on [Month]/[Day]/[Year]"). This may be performed as part of the quarterly update.

12. Eliminating/Partially Eliminating a previously resolved ROI:

- If a region submitting an ROI wishes to eliminate the ROI, the following guidance will be used:

  - The branch chief from the region that submitted the original request may submit a request (e-mail is acceptable) to eliminate an ROI for which a final resolution has been issued, but the guidance is no longer applicable.

  - A partial elimination is also acceptable. This request will be considered an "elimination," or a "partial elimination."

  - The elimination/partial elimination request will be sent to the OL program office branch chief and to the NRR program office OLA.

  - Once an elimination or partial elimination request is received, the program office will confirm the information is no longer applicable (e.g., it has been superseded or it has been incorporated into

NUREG-1021).

- The eliminated ROI will be moved to the ADAMS folder for archived and superseded ROI's. For partial eliminations, a revised ROI should be issued in accordance with C.10 above such that the revised ROI does not include the information that is not applicable.

- The NRR program office OLA will ensure that the eliminated/partially eliminated ROI is annotated in the yearly ROI Index as "ELIMINATED," or "PARTIALLY ELMINATED(REVISED)" (may be performed as part of the quarterly update) with the reason for elimination/partial elimination.

- If the program office issues ROI guidance that supersedes a previous ROI, guidance provided in an ROI is obsolete, or ROI guidance has been captured in a permanent revision to NUREG 1021 (i.e., after the revision is published AND in effect), the program office may take action to eliminate or partially eliminate an ROI. The program office will follow the same steps as listed above for region requests to eliminate/partially eliminate an ROI.

ATTACHMENT 1

Report on Interaction Form. If superseding signatures are needed, they may be entered under the original signatures with a corresponding new effective date.

<table>
<tr><td colspan="4">11/2022<br>OPERATOR LICENSING<br>REPORT ON INTERACTION (ROI)</td><td colspan="2">Interaction No.:<br>Accession No.: ML</td></tr>
<tr><td>Subject:</td><td colspan="5"></td></tr>
<tr><td>Type of Action:<br>( Check One )</td><td colspan="5">Waiver: ☐ Policy Interpretation: ☐ Request for HQ Action: ☐</td></tr>
<tr><td>From:</td><td colspan="3"></td><td>Date:</td><td></td></tr>
<tr><td>To:</td><td colspan="2"></td><td colspan="2">Proposed Due Date:</td><td></td></tr>
<tr><td>Additional Info.:</td><td colspan="5"></td></tr>
<tr><td colspan="6"><u>Background / Issue:</u></td></tr>
</table>

<table>
<tr><td colspan="5"><u>Recommended Action/Resolution:</u></td></tr>
<tr><td colspan="5"><u>Final Action/Resolution:</u><br><br>(If OGC Concurrence is not obtained, include a justification.)</td></tr>
<tr><td>Distribution:</td><td colspan="4">OLBCs, OLAs</td></tr>
<tr><td colspan="5">Signatures / Concurrences</td></tr>
<tr><td>Regional OLBC:</td><td colspan="2"></td><td>Date:</td><td></td></tr>
<tr><td>OGC*:</td><td colspan="2">(*A justification must be provided in the Final Action/Resolution if OGC Concurrence is not obtained.)</td><td>Date:</td><td></td></tr>
<tr><td>IOLB BC:</td><td></td><td>OLPF needed? (Y/N)</td><td>Date:</td><td></td></tr>
<tr><td>DRO DD:</td><td colspan="2">( If needed )</td><td>Date:</td><td></td></tr>
<tr><td>Distribution Completed by IOLB  AA (Initials):</td><td colspan="2"></td><td>Date:</td><td></td></tr>
</table>