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FOR THE LICENSING OF TEST AND RESEARCH REACTOR
OPERATORS DIRECTLY TO HEADQUARTERS

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RULE NAME: SUBMITTING APPLICATIONS FOR THE LICENSING OF TEST AND RESEARCH REACTOR OPERATORS DIRECTLY TO HEADQUARTERS

PROPOSED RULE FED REG CITE: 55FR41334

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OF RULE

TO FIND THE STAFF CONTACT OR VIEW THE RULEMAKING HISTORY PRESS PAGE DOWN KEY

HISTORY OF THE RULE

PART AFFECTED: PR-MISC (90-8)

RULE TITLE: SUBMITTING APPLICATIONS FOR THE LICENSING OF TEST AND RESEARCH REACTOR OPERATORS DIRECTLY TO HEADQUARTERS

PROPOSED RULE	PROPOSED RULE	DATE PROPOSED RULE
SECY PAPER:	SRM DATE: / /	SIGNED BY SECRETARY: 09/27/90
FINAL RULE	FINAL RULE	DATE FINAL RULE
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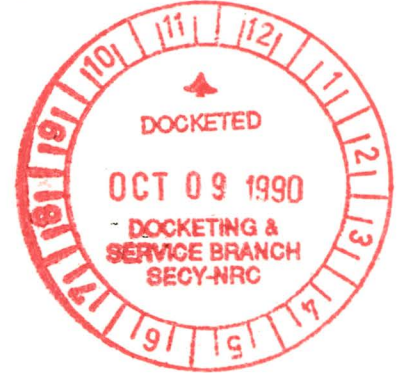
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NUCLEAR REGULATORY COMMISSION

10 CFR PART 55

RIN 3150-AD75

Submitting Applications for the Licensing of
Test and Research Reactor Operators Directly to Headquarters

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is amending its regulations to require that test and research reactor facility applications for operator and senior reactor operator licenses be submitted to the responsible Headquarters office. This action is necessary to improve efficiency and consistency of examination and licensing of test and research reactor operators by having a central office monitor the issuance and renewal of licenses.

EFFECTIVE DATE: NOV 13 1990

FOR FURTHER INFORMATION CONTACT: David J. Lange, Acting Chief, Operator Licensing Branch, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 492-1031.

pub. 10/11/90

SUPPLEMENTARY INFORMATION:

Background

The U.S. Nuclear Regulatory Commission (NRC) has decided to consolidate and return the responsibility for the issuance and renewal of licenses for reactor operators and senior reactor operators of test and research reactors (TRR) to the Headquarters office. Currently this responsibility is being administered individually by the operator licensing sections in the five regional offices. Increased demands by the TRR community for improved efficiency and consistency of examination and licensing of TRR operators requires improved and dedicated oversight and management on a national scale, and from a central office. This administrative amendment does not affect existing licensing practice, pursuant to 10 CFR Part 55, by requiring that each applicant submit their request for TRR reactor operator licenses directly to the NRC Headquarters.

As currently codified in 10 CFR Part 55, "Communications," the communications path with the NRC relating to TRR operator licensing applications is to the five Regional Administrator Offices, and is in need of amendment. This administrative amendment to the regulation (10 CFR Part 55) clarifies this regulation by requiring applicants for TRR operator and senior reactor operator licenses to communicate their requests for license examination directly to the responsible Headquarters office instead of submitting their requests to one of the five regional offices.

Waiver of Notice and Comment

Because these amendments deal solely with agency practice and procedure, the notice and comment provisions of the Administrative Procedure Act do not apply as excepted by 5 U.S.C. 553(b)(A).

Environmental Impact: Categorical Exclusion

The NRC has determined that this amendment to the rule is the type of action described in categorical exclusion 10 CFR 51.22(c)(1). Therefore, neither an environmental impact statement nor an environmental assessment has been prepared for this final rule.

Paperwork Reduction Act Statement

This final rule does not contain a new or amended information collection requirement subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et. seq.). Existing requirements were approved by the Office of Management and Budget approval number 3150-0018.

Regulatory Analysis

The regulations in 10 CFR Part 55 establish procedures and criteria for the issuance of licenses to operators and senior operators of utilization facilities licensed pursuant to the Atomic Energy Act of 1954, as amended, or Section 202 of the Energy Reorganization Act of 1974, as amended, and 10 CFR Part 50. These established procedures provide for the terms and conditions upon which the Commission will issue, modify, maintain, and renew operator and senior operator licenses.

This amendment to the rule will not affect existing practice regarding TRR operator licensing pursuant to 10 CFR Part 55. This amendment only serves to notify the applicants for 10 CFR Part 55 TRR operator and senior reactor operator licenses to submit their requests directly to the Headquarters office.

Backfit Analysis

The NRC has determined that the backfit rule, 10 CFR 50.109, does not apply to this final rule, and therefore, that a backfit analysis is not required for this final rule, because these amendments do not involve any provisions which would impose backfits as defined in 10 CFR 50.109(a)(1).

List of Subjects in 10 CFR Part 55

Criminal penalty, Manpower training programs, Nuclear power plants and reactors, Reporting and recordkeeping requirements.

For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and 5 U.S.C 552 and 553, the NRC is adopting the following amendments to 10 CFR Part 55.

Part 55 - OPERATORS' LICENSES

1. The authority citation for Part 55 continues to read as follows:

Authority Secs. 107, 161, 182, 68 Stat. 939, 948, 953, as amended, sec. 234, 83 Stat. 444, as amended (42 U.S.C. 2137, 2201, 2232, 2282); secs. 201, as amended, 202, 88 Stat. 1242, as amended, 1244 (42 U.S.C. 5841, 5842).

Sections 55.41, 55.43, 55.45, and 55.59 also issued under sec. 306, Pub. L. 97-425, 96 Stat. 2262 (42 U.S.C. 10226). Section 55.61 also issued under secs. 186, 187, 68 Stat. 955 (42 U.S.C. 2236, 2237).

For the purposes of sec. 223, 68 Stat. 958, as amended (42 U.S.C. 2273; §§55.3, 55.21, 55.49, and 55.53 are issued under sec. 161i, 68 Stat. 949, as amended (42 U.S.C. 2201(i)); and §§55.9, 55.23, 55.25, and 55.53(f) are issued under sec. 161o, 68 Stat. 950, as amended (42 U.S.C. 2201(o)).

2. In Section 55.5, paragraph (b) is revised to read as follows:

§ 55.5 Communications.

* * * * *

(b)(1) Except for test and research reactor facilities, the Director of Nuclear Reactor Regulation has delegated to the Regional Administrators of Regions I, II, III, IV and V authority and responsibility pursuant to the regulations in this part for the issuance and renewal of licenses for operators and senior operators of nuclear power reactors licensed under 10 CFR Part 50 and located in these regions.

(2) Any application for a license or license renewal filed under the regulations in this part involving a nuclear power reactor licensed under 10 CFR Part 50 and any related inquiry, communication, information, or report must be submitted by mail or in person to the Regional Administrator. The Regional Administrator or the Administrator's designee will transmit to the Director of Nuclear Reactor Regulation any matter that is not within the scope of the Regional Administrator's delegated authority.

(i) If the nuclear power reactor is located in Region I, submission must be made to the Regional Administrator, Region I, U.S. Nuclear Regulatory Commission, 475 Allendale Road, King of Prussia, Pennsylvania 19406.

(ii) If the nuclear power reactor is located in Region II, submission must be made to the Regional Administrator, Region II, U.S. Nuclear Regulatory Commission, 101 Marietta Street, Suite 2900, Atlanta, Georgia 30323.

(iii) If the nuclear power reactor is located in Region III, submission must be made to the Regional Administrator, Region III, U.S. Nuclear Regulatory Commission, 799 Roosevelt Road, Glen Ellyn, Illinois 60137.

(iv) If the nuclear power reactor is located in Region IV, submission must be made to the Regional Administrator, Region IV, U.S. Nuclear Regulatory Commission, 611 Ryan Plaza Drive, Suite 1000, Arlington, Texas 76011.

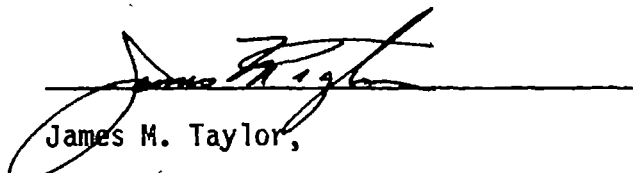
(v) If the nuclear power reactor is located in Region V, submission must be made to the Regional Administrator, Region V, U.S. Nuclear Regulatory Commission, 1450 Maria Lane, Suite 210, Walnut Creek, California 94596.

(3) Any application for a license or license renewal filed under the regulations in this part involving a test and research reactor facility licensed under 10 CFR Part 50 and any related inquiry, communication, information, or report must be submitted by mail or in-person to the Division of Licensee Performance and Quality Evaluation at the U.S. Nuclear Regulatory Commission Headquarters in Washington, DC.

(i) For all test and research reactor facilities located in Regions I, II, III, IV, and V, submissions must be made to the Director, Division of Licensee Performance and Quality Evaluation, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Attention: Operator Licensing Branch.

Dated at Rockville, Maryland, this 27th day of Sept, 1990.

For the Nuclear Regulatory Commission.


James M. Taylor,
Executive Director for Operations