

DRAFT SUPPORTING STATEMENT
FOR
10 CFR PART 55, OPERATORS' LICENSES
(3150-0018)
REVISION

DESCRIPTION OF THE INFORMATION COLLECTION

The Nuclear Regulatory Commission's (NRC) regulations in Title 10 of the U.S. *Code of Federal Regulations* (10 CFR) Part 55, "Operators' Licenses," establish: (1) procedures and criteria for the issuance of licenses to operators and senior operators of utilization facilities (which are licensed pursuant to the Atomic Energy Act of 1954, as amended, [10 CFR] Part 50 and 10 CFR Part 52); (2) the terms and conditions upon which the Commission will issue or modify the operators' licenses; and (3) the terms and conditions to maintain and renew the operators' licenses.

The majority of the information collection requirements related to this Part apply to the holders of and applicants for utilization facility operating licenses (as defined in 10 CFR Part 50 and Part 52). The remaining information collections apply to the holders of, or applicants for, an individual operator's license (i.e., operators and senior operators as defined in 10 CFR Part 55).

This supporting statement provides a comprehensive overview of the information collection requirements specified in 10 CFR Part 55. There are additional information collections in 10 CFR Part 55 that are covered by other Office of Management and Budget (OMB) clearances and are not addressed in this supporting statement. These are NRC Form 396, "Certification of Medical Examination by Facility Licensee" (OMB Clearance No. 3150-0024), NRC Form 398, "Personal Qualification Statement - Licensee" (OMB Clearance No. 3150-0090) and NRC Form 536, "Operator Licensing Examination Data" (OMB Clearance No. 3150-0131).

Specific information collection requirements include filing applications for an exemption, which include general license information as well as information specific to the request, written examinations and operating tests prepared by facility licenses, request to use a simulation facility, request to certify a Commission approved simulator, copies of requalification written examinations and/or annual operating tests.

A. JUSTIFICATION

1. Need for and Practical Utility of the Collection of Information

The information is needed in order to determine licensee compliance with the regulations set forth in 10 CFR Part 55. Title 10 CFR Part 55 was developed to comply with Section 107 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2137), which requires the Commission to determine the qualifications of individuals licensed as operators of utilization facilities and to establish uniform conditions for the licensing of operators. The information is used for NRC-developed initial licensed operator examinations, and to evaluate exemptions

from the 10 CFR Part 55 regulations for operator license applicants, changes in licensed operator medical conditions, the quality of facility-developed initial licensed operator examinations, requests to waive examination requirements, compliance with operator license conditions, operator license renewal, and the licensed operator requalification program. All these items are used to determine whether individuals are qualified to be licensed operators at utilization facilities as required by the Atomic Energy Act of 1954, as amended.

Additionally, requirements in 10 CFR Part 55 related to review of simulation facilities is based on Section 306 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10226) which requires the Commission to establish simulator training requirements for applicants for civilian power plant operator licenses as well as operator requalification.

The information collected by the online form is the minimum needed by NRC to make a determination on the acceptability of the licensee's request for an exemption. In addition to the online form, licensees can submit their exemption requests through the NRC's Electronic Information Exchange or by email in accordance with NRC's OMB-approved information collections regarding such exemptions.

Details of these regulations can be found at the end of this supporting statement in "Description of Requirements."

2. Agency Use of Information

The NRC will use the reports and records required by 10 CFR Part 55 for one or more of the following purposes:

- Facility records, including procedures, plant diagrams, system descriptions, and other related records are used for the NRC to prepare, administer, and grade written examinations and operating tests per 10 CFR 55.40 (c). Facility developed examinations are provided to the NRC for review and approval prior to administration. These tests are necessary to ensure the qualifications of every applicant for an initial operator license and are used to determine if the applicants for operator licenses have learned to operate the facility competently and safely and, additionally, to determine if applicants for senior operator licenses have learned to safely and competently direct the activities of licensed operators. The NRC develops at least four initial examinations for applicants at commercial facilities every year with the remaining examinations prepared by the facility themselves. The NRC must review the facility developed examinations to ensure that the requirements of 10 CFR Part 55.40 and NUREG-1021, "Operator Licensing Examination Standards for Power Reactors," are met to assure that the provisions of the Atomic Energy Act of 1954, as amended, are met. For research and test reactors, the NRC develops all the examinations, and therefore requires the facility records in order to be able to develop these examinations;

- Facility records related to requalification include training procedures, lesson plans, examinations, remediation, and maintenance of license conditions. Access to the training procedures, lesson plans, examinations and remediation are necessary for the NRC to ensure that the requirements of 10 CFR 55.59 are being met.

The NRC uses these records to ensure that the facility is implementing its approved training program for the development, administration, and grading of the requalification examinations and that any failures are properly remediated and retested satisfactorily prior to allowing that individual to return to licensed duties.

Additionally, the NRC reviews medical records, shift records, and other related records to ensure that license conditions under 10 CFR 55.53 and any specific medical condition for that individual are met. The NRC reviews the records to determine if the licensed operator maintains an active status under 10 CFR 55.53(e), and if not, if the operator was properly re-activated under the provisions of 10 CFR 55.53(f). The NRC also reviews records to ensure that individuals had a satisfactory medical examination within the biennial requirement as stated in 10 CFR 55.53(i);

- Documents related to the qualification of the commercial facility simulator include performance tests, scenario-based testing, modifications, and deficiencies, including corrective actions. The NRC reviews this information to ensure that the simulator has maintained sufficient fidelity to the reference plant such that initial and requalification examinations can still be administered on it. Additionally, for those facilities that use the simulator to take credit for reactivity manipulations, required to apply for a license under 10 CFR 55.31(a)(5), the NRC reviews these documents to make sure the additional simulator requirements for this are met; and
- Records related to any exemption requests are reviewed by the NRC to determine if the request meets the three criteria in 10 CFR 55.11; that the exemption is authorized by law, will not endanger life or property, or are otherwise in the public interest. Without this information, the NRC would not have a basis to make that determination.

3. Reduction of Burden through Information Technology

The NRC has issued [Guidance for Electronic Submissions to the NRC](#), which provides direction for the electronic transmission and submittal of documents to the NRC. Electronic transmission and submittal of documents can be accomplished via the following avenues: The Electronic Submittals application, which is available from the NRC's "Electronic Submittals" Web page, by Optical Storage Media (OSM) (e.g. CD-ROM, DVD), by facsimile or by e-mail. The Electronic Submittals application allows electronic transmission of information to the NRC pertaining to licensing actions, associated hearings, and other regulatory matters. The application ensures information sent to the NRC via the internet is secure and unaltered during transmission. It operates 24 hours a day, except when it is taken down for scheduled maintenance. The application serves as a secure portal respondents may use to transmit documents to the NRC.

4. Effort to Identify Duplication and Use Similar Information

No sources of similar information are available. There is no duplication of requirements.

5. Effort to Reduce Small Business Burden

No small businesses are affected by these information collection requirements.

6. Consequences to Federal Program or Policy Activities if the Collection Is Not Conducted, or is Conducted Less Frequently

The information collections under 10 CFR Part 55 are conducted "one time only" or "as required." No other frequency of collection is assigned. If the information collections were not conducted, the NRC would not be able to fulfill its statutory responsibility to determine the qualifications of applicants for operator licenses, including the preparation and approval of initial operator licensing examinations, or to oversee simulator and requalification training and examination programs.

7. Circumstances Which Justify Variation from OMB Guidelines

Procedures must be retained for the life of the facility license. Operators are licensed for 6 years, and facility licensees must retain certifications and other data associated with operator licenses for inspection by the NRC to ensure operational safety at nuclear reactor facilities.

8. Consultations Outside the NRC

Opportunity for public comment on the information collection requirements for this clearance package have been published in the *Federal Register*.

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of Information

Confidential and proprietary information is protected in accordance with NRC regulations at 10 CFR 9.17(a) and 10 CFR 2.390(b).

11. Justification for Sensitive Questions

The NRC uses the medical information collected to ensure that facility licensees meet the requirements of the requalification program and maintain operator license conditions such that licensed operators continue to meet the requirements for licensing as set forth in 10 CFR Part 55. The NRC Privacy Officer has determined there are no Privacy Act implications because the information is collected by a third party.

12. Industry Burden and Burden Hour Cost

In some cases, there may be only one training program at facilities that consist of one or more units. Using the number of facilities could result in underestimating the number of respondents and using individual units would overestimate the number of respondents. Therefore, although the terms units and/or sites are referenced, training programs are counted for purposes of this review.

The annual reporting and recordkeeping burdens summarized below are detailed in the burden spreadsheet.

Total burden hours are 171,299 (149,618 reporting + 21,681 recordkeeping). Total burden cost is \$54,301,783 (171,299 hours x \$317 per hour). Total respondents and recordkeepers: 94 (63 power sites + 31 non-power sites).

Although the total number of sites is 133 (94 power reactors + 31 non-power reactors + 8 combined license holders), the number of respondents reflects the fact that some power reactor sites with multiple operating reactors have only one training and qualification program for all the reactors and therefore are only considered as one respondent, while some facility sites with multiple operating reactors have different training and qualification programs for each reactor and therefore are considered as more than one respondent (one for each separate program). Also, no responses from the eight combined license holders are expected for this period.

The \$317 hourly rate used in the burden estimates is based on the NRC's fee for hourly rates as noted in 10 CFR 170.20, "Average Cost per Professional Staff-Hour." For more information on the hourly rate, see the "Revision of Fee Schedules, Fee Recovery for Fiscal Year 2024" final rule (89 FR 51789; June 20, 2024).

13. Estimate of Additional Industry Costs

The quantity of records to be maintained is proportional to the recordkeeping burden. Based on the number of pages maintained for a typical clearance, the records storage cost has been determined to be equal to 0.04 percent of the recordkeeping burden cost. The storage cost for this clearance is \$2,749 (21,681 x \$317 per hour x 0.0004).

The annual cost to reproduce the examinations for initial operator licensing is estimated to be \$6,750 (45 licensee sites x 1,500 pages per examination x \$0.10 per page).

Total Other Additional Costs are \$9,499 (\$2,749 + \$6,750).

14. Estimated Annualized Cost to the Federal Government

The staff has developed estimates of annualized costs to the Federal Government related to the conduct of this collection of information. These estimates are based

on staff experience and subject matter expertise and include the burden needed to review, analyze, and process the collected information and any relevant operational expenses.

The total annual Federal Government burden is 28,827 hours and the total annual Federal Government cost is estimated to be \$9,138,159 (28,827 hours x \$317 per hour).

15. Reasons for Change in Industry Burden and Cost

The industry burden increased by 371 hours, from 170,928 to 171,299 hours. This increase is due to an increase in the number of respondents. The number of respondents increased from 92 (61 power reactor sites + 31 non-power sites) to 94 (63 power sites + 31 non-power sites).

In addition, the current submission requests discontinuation of two information collections (ICs) under this clearance: 1) Online Form for COVID-19 Related Exemption Requests From Power Reactor Operators, and 2) Online Form for COVID-19 Related Exemption Requests from Research and Test Reactor Operators. The COVID-19 public health emergency declaration ended on May 11, 2023. As a result, these 10 CFR Part 55 COVID-19 exemption requests have been eliminated from the current request. The removal of these ICs results in a reduction of 60 responses and 120 hours of burden.

16. Publication for Statistical Use

This information will not be published for statistical use.

17. Reason for Not Displaying the Expiration Date

The recordkeeping and reporting requirements for this information collection are associated with regulations and are not submitted on instruments such as forms or surveys. For this reason, there are no data instruments on which to display an OMB expiration date. Further, amending the regulatory text of the CFR to display information that, in an annual publication, could become obsolete would be unduly burdensome and too difficult to keep current.

18. Exceptions to the Certification Statement

There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Not applicable.

DESCRIPTION OF INFORMATION COLLECTION REQUIREMENTS

CONTAINED IN

10 CFR PART 55 OPERATORS' LICENSES

(3150-0018)

Section 55.11: Application for exemption from the requirements of the regulations in 10 CFR 55. Facility licensees are expected to comply with the regulations unless they provide sufficient information for the Commission to determine that a specific exemption is authorized by law, will not endanger life or property, and is otherwise in the public interest.

Paragraphs 55.31(a) and (d): Application that a written examination and operating test be administered and certification on NRC Form 398, "Personal Qualification Statement - Licensee," that the applicant has completed the facility licensee's requirements for licensing (currently approved under OMB Clearance No. 3150-0090).

Paragraphs 55.31(b): Additional information as necessary for the NRC to determine whether to grant or deny the license application or revoke, modify or suspend the license.

Paragraphs 55.40(a) and (d): Information regarding exam content for operators. This information is needed for the NRC to prepare the site-specific written and operating tests that applicants must pass to obtain an operator's license.

Paragraphs 55.40(b) (1) and (3): The written examinations required by 10 CFR 55.41 and 10 CFR 55.43 and the operating tests required by 10 CFR 55.45. In lieu of submitting information from which the NRC will prepare the licensing examinations, power reactor facility licensees may prepare the examinations themselves and submit them to the NRC for review and approval.

Paragraph 55.40(c): Written request for the NRC to prepare, proctor, and grade the required licensing examinations. Preparing a site-specific power reactor licensing examination requires significantly more resources than reviewing and approving a facility-prepared examination; therefore, a written request provides the basis to budget and schedule the resources. NRC Form 536 (currently approved under OMB Clearance No. 3150-0131) can be used for this purpose.

Paragraph 55.46(b): Power reactor facility licensees that propose to use a simulation facility, other than a plant-referenced simulator, or the plant in the administration of operating tests under 10 CFR 55.45(b)(1) or (3) shall request approval from the Commission. This is necessary to ensure the consistency and validity of the operating tests upon which licensing decisions are based.

Paragraph 55.47: Request for waiver of examination and test requirements on NRC Form 398 (currently approved under OMB Clearance No. 3150-0090).

Paragraph 55.59(a)(2)(iii): In lieu of the Commission accepting a certification by the facility licensee that the licensee has passed written examinations and operating tests administered by the facility licensee within its Commission-approved program developed by using a systems approach to training under paragraph (c) of this section, the Commission may administer a comprehensive requalification written examination and an annual operating test.

Paragraph 55.59(c): Have a requalification program and, upon request, submit to the Commission a copy of comprehensive requalification written examinations or annual operating tests. This improves efficiency by enabling the NRC staff to review these materials before traveling to the site for a licensed operator requalification program inspection.

Facility licensees are required to maintain the following documentation:

Paragraph 55.40(b)(2): Establish, implement and maintain procedures to control examination security and integrity and have them available during facility inspections.

Paragraph 55.46(d)(1): The results of the simulation facility performance tests are required to be retained for 4 years after completing the tests or until superseded by updated test results. The NRC staff will review uncorrected performance deficiencies to ensure that the operating tests administered per 10 CFR 55.45(b) are valid.

Paragraph 55.53(f): Certification that the qualifications and status of a licensee who has not been actively performing the functions of an operator are current and valid. This certification, which, in practice, is not submitted to the NRC but subject to inspection on-site, ensures that licensed operators who have not maintained their watch-standing proficiency are fully qualified before they are allowed to resume licensed duties.

Paragraph 55.59(b): Evidence of successful completion of additional training, if necessary. Licensed operators are required to complete a requalification training and examination program to maintain the knowledge, skills, and abilities needed to safely perform licensed duties. This is included with 10 CFR 55.59(c)(5)(i) reporting.

Paragraph 55.59(c)(5)(i): Maintain records of operator participation in the requalification program until the operator's license is renewed. This enables the facility licensee to certify, pursuant to 10 CFR 55.57(a)(4), that a license renewal applicant has satisfactorily completed the requalification program during the 6-year term of the license.

10 CFR PART 55 OPERATORS' LICENSES
GUIDANCE DOCUMENTS

Title	Agencywide Documents Access and Management System (ADAMS) Accession No.
Regulatory Guide 1.134 - Medical Evaluation of Licensed Personnel at Nuclear Power Plants (Revision 4), September 2014	ML14189A385
Regulatory Guide 1.149 – Nuclear Power Plant Simulation Facilities for Use in Operator Training and License Examinations (Revision 4), April 2011	ML110420119
Regulatory Guide 1.8 - Qualification and Training of Personnel for Nuclear Power Plants (Revision 4), June 2019	ML19101A395
NUREG-1021 - Operator Licensing Examination Standards for Power Reactors (Revision 12), September 2021	ML21256A276
NUREG-1478 – Operator Licensing Examiner Standards for Research and Test Reactors (Revision 2), June 2007	ML072000059