

PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the Supporting Statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503

1. Agency/Subagency originating request U.S. Nuclear Regulatory Commission		2. OMB control number <input checked="" type="checkbox"/> a. 3150 - 0024 <input type="checkbox"/> b. None	
3. Type of information collection (check one) <input type="checkbox"/> a. New collection <input checked="" type="checkbox"/> b. Revision of a currently approved collection <input type="checkbox"/> c. Extension of a currently approved collection <input type="checkbox"/> d. Reinstatement, without change , of a previously approved collection for which approval has expired <input type="checkbox"/> e. Reinstatement, with change , of a previously approved collection for which approval has expired <input type="checkbox"/> f. Existing collection in use without an OMB control number		4. Type of review requested (check one) <input checked="" type="checkbox"/> a. Regular submission <input type="checkbox"/> c. Delegated <input type="checkbox"/> b. Emergency - Approval requested by (date): 5. Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> a. Yes <input checked="" type="checkbox"/> b. No	
		6. Requested expiration date <input checked="" type="checkbox"/> a. Three years from approval date <input type="checkbox"/> b. Other (Specify):	
7. Title NRC Form 396, Certification of Medical Examination by Facility Licensee			
8. Agency form number(s) (if applicable) NRC Form 396			
9. Keywords Medical Examination, Nuclear Power Plants			
10. Abstract NRC Form 396 establishes the procedure for transmitting information to the NRC regarding the medical condition of applicants for initial or renewal operator licenses and for the maintenance of medical records for all licensed operations.			
11. Affected public (Mark primary with "P" and all others that apply with "X") <input type="checkbox"/> a. Individuals or households <input type="checkbox"/> d. Farms <input checked="" type="checkbox"/> b. Business or other for-profit <input type="checkbox"/> e. Federal Government <input type="checkbox"/> c. Not-for-profit institutions <input type="checkbox"/> f. State, Local, or Tribal Government		12. Obligation to respond (Mark primary with "P" and all others that apply with "X") <input type="checkbox"/> a. Voluntary <input type="checkbox"/> b. Required to obtain or retain benefits <input checked="" type="checkbox"/> c. Mandatory	
13. Annual reporting and recordkeeping hour burden a. Number of respondents <u>975</u> b. Total annual responses <u>975</u> 1. Percentage of these responses collected electronically <u>0</u> % c. Total annual hours requested <u>741</u> d. Current OMB inventory <u>1,700</u> e. Difference <u>(959)</u> f. Explanation of difference 1. Program change 2. Adjustment <u>(959)</u>		14. Annual reporting and recordkeeping cost burden (in thousands of dollars) a. Total annualized capital/startup costs <u>0</u> b. Total annual costs (O&M) <u>0</u> c. Total annualized cost requested <u>0</u> d. Current OMB inventory e. Difference <u>0</u> f. Explanation of difference 1. Program change 2. Adjustment	
15. Purpose of information collection (Mark primary with "P" and all others that apply with "X") <input type="checkbox"/> a. Application for benefits <input type="checkbox"/> e. Program planning or management <input type="checkbox"/> b. Program evaluation <input type="checkbox"/> f. Research <input type="checkbox"/> c. General purpose statistics <input checked="" type="checkbox"/> g. Regulatory or compliance <input type="checkbox"/> d. Audit		16. Frequency of recordkeeping or reporting (Check all that apply) <input checked="" type="checkbox"/> a. Recordkeeping <input type="checkbox"/> b. Third-party disclosure <input checked="" type="checkbox"/> c. Reporting <input checked="" type="checkbox"/> 1. On occasion <input type="checkbox"/> 2. Weekly <input type="checkbox"/> 3. Monthly <input type="checkbox"/> 4. Quarterly <input type="checkbox"/> 5. Semi-annually <input type="checkbox"/> 6. Annually <input type="checkbox"/> 7. Biennially <input checked="" type="checkbox"/> 8. Other (describe) <u>Every 6 years</u>	
17. Statistical methods Does this information collection employ statistical methods? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		18. Agency contact (person who can best answer questions regarding the content of this submission) Name: <u>Roberta K. Ingram</u> Phone: <u>(301) 415-1219</u>	

CR-8

19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9.

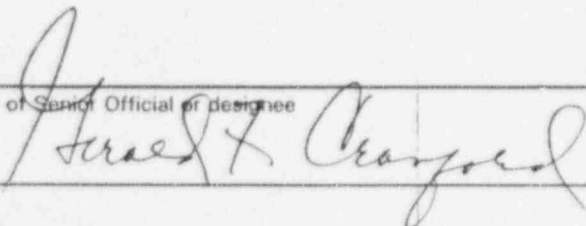
NOTE: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It uses plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention periods for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
 - (i) Why the information is being collected;
 - (ii) Use of information;
 - (iii) Burden estimate;
 - (iv) Nature of response (voluntary, required for a benefit, or mandatory);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of the instructions).
 - (i) It uses effective and efficient statistical survey methodology; and
 - (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of these provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee



Date
9/30/96

FINAL SUPPORTING STATEMENT
FOR
NRC FORM 396, "CERTIFICATION OF MEDICAL EXAMINATION BY FACILITY LICENSEE"
10 CFR PART 55, SECTIONS 55.23, 55.25, 55.27, 55.31 AND 55.57

(OMB CLEARANCE NO. 3150-0024)

EXTENSION/REVISION

DESCRIPTION OF THE INFORMATION COLLECTION

10 CFR 55.23 requires that the facility licensee certify the medical fitness of an applicant or licensee by completing and signing NRC Form 396.

10 CFR 55.25 requires the facility licensee to notify the NRC within 30 days if a licensee develops a permanent physical or mental condition that causes the licensee to fail to meet the requirements of 55.21. For conditions where a conditional license is requested, the facility licensee must provide medical certification on NRC Form 396.

10 CFR 55.27 requires that the facility licensee document and maintain the results of medical qualifications data, test results, and each operator's or senior operator's medical history for the duration of the operator's or senior operator's tenure and to provide the documentation to the Commission upon request.

10 CFR 55.31(a)(6) requires applicants for a license to provide certification by the facility licensee of medical condition and general health on NRC Form 396 to comply with 55.21, 55.23 and 55.33(a)(1).

10 CFR 55.57(a)(6) requires applicants for renewal of a license to provide certification by the facility licensee of medical condition and general health of the applicant on NRC Form 396.

10 CFR Parts 26 and 73 specify fitness-for-duty and safeguards requirements that licensed operators must meet. In addition to the medical examination certification, NRC Form 396 requires certification that the applicant has been found to meet the fitness-for-duty and safeguards requirements.

This clearance extension/revision request does not amend the information collection requirements, but does decrease the burden because of a decrease in the estimated number of responses and records.

A. JUSTIFICATION

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

10 CFR Part 55, "Operators' Licenses," requires an applicant to be examined by a licensed physician, who can refer to guidance provided by ANSI/ANS 3.4, as endorsed by NRC Regulatory Guide 1.134. (ANSI/ANS 3.4 was revised in February 1996, however, NRC Regulatory Guide 1.134 has not yet been updated to reflect the new guidance and, thus, references ANSI/ANS 3.4-1983.) The licensed physician

submits his/her diagnostic report to the facility licensee. The facility licensee, based on the data provided, certifies on NRC Form 396 whether or not the applicant is fit to be licensed.

In cases where the holder of an operator's or senior operator's license develops a permanent mental or physical condition that causes the individual to fail to meet the requirements of 10 CFR 55.21, the facility licensee is required to notify the NRC so that the individual's license can be revoked.

In cases where the applicant for an operator's license or renewal does not meet the ANSI/ANS 3.4 medical requirements, or after recovery from a disabling condition, the facility licensee shall submit supporting medical evidence for review by the NRC consultant examining physician. The NRC and the consultant physician will review such evidence and decide if a conditional license or reinstatement from the disability shall be approved.

Records required by 10 CFR 55.27 are retained and the documentation provided to the NRC upon request to provide assurance that operators and senior operators are physically and mentally fit.

2. Agency Use of Information

The NRC uses the information as part of the basis for determining the fitness of an individual for licensing as a Reactor Operator or Senior Reactor Operator.

3. Reduction of Burden Through Information Technology

There is no legal obstacle to the use of information technology. Moreover, NRC encourages its use; however, at the current time, no information is submitted electronically.

4. Effort to Identify Duplication and Use Similar Information

This information is available only from facility licensees for each applicant for an operator license, new and renewal, and does not duplicate nor overlap other information collections made by the NRC. The Information Requirements Control Automated System (IRCAS) was searched, and no duplication was found.

5. Effort to Reduce Small Business Burden

This information collection does not involve any small businesses.

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

Information is to be provided only upon request for issuance of a license, renewal of a license (every six years) or upon notification

to NRC of disability. Frequency of reporting cannot be reduced without endangering the health and safety of the public.

7. Circumstances which Justify Variation from OMB Guidelines

Section 55.27 states that "the facility licensee shall retain [the medical records] while an individual performs the functions of an operator or senior operator." This information is used to determine whether the physical condition and general health of operators and senior operators is such that it would not be expected to cause operational errors endangering public health and safety.

8. Consultations Outside the NRC

On July 5, 1996, the NRC published a Federal Register Notice (61 FR 35271) of pending NRC action to submit an information collection request to OMB and solicitation of public comment. No comments were received.

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of Information

NRC 16, Privacy System of Records, specifies confidentiality of these records. These records are limited to those persons whose official duties require such access.

11. Justification for Sensitive Questions

The facility licensee must certify that an applicant for an NRC operator's license meets the facility medical fitness requirements to be licensed as an operator at the facility. The certification involves supplying medical information on applicants. NRC Form 396 also requires certification that applicants meet fitness-for-duty and safeguards requirements for unescorted access to vital areas of a nuclear power plant. This latter certification requires knowledge of an applicant's drug testing results and a facility review of the applicant's criminal history, if any.

12. Estimated Industry Burden and Costs

(a) Reporting Requirements

Approximately 450 new and 500 renewal applicant certifications are expected to be completed by facility licensees annually. Approximately 25 notifications of disability are also expected annually. The estimated annual reporting burden per applicant is .25 hours.

450/New Applicants x .25 hours = 112.5 hours
 500/Renewal Applicants x .25 hours = 125 hours
 25/Notices of Disability x .25 hours = 6.25 hours

Total annual burden is 975 x .25 hours = 243.75 hours.

(b) Recordkeeping Requirements

The facility licensee shall retain the medical documentation for each licensed operator and senior operator while the employee is employed in this capacity (10 CFR 55.27). There are approximately 4975 licensed operators whose medical records need to be retained. The annual recordkeeping burden per person is approximately .10 hours. Total annual burden is 4975 x .10 hours = 497.5 hours.

(c) Total Industry Cost and Burden

450 New Applicants x .25 hours = 112.5 hours x \$128 = \$14,400
 500 Renewal Applicants x .25 hours = 125 hours x \$128 =
 \$16,000
 25 Notices of Disability x .25 hours = 6.25 hours x \$128 =
 \$800
 4975 Records Retained x .10 hours = 497.5 hours x \$128 = \$63,680

Total annual industry burden is 741.25 hours. Total annual industry cost is \$94,880.

13. Estimate of Other Additional Costs

None.

14. Estimated Annualized Cost to the Federal Government

Estimate of annual cost to the Federal Government is based on staff experience. It is estimated that 975 certificates (NRC Forms 396) will be submitted annually during the clearance period. Also, it is estimated that 55 of these certificates will be required to be reviewed by the NRC Consultant Physician and would require approximately one hour review each. Total Federal Government cost includes the following:

NRC Consultant Examining Physician: 55 NRC Forms 396 reviewed annually x 1 hour each = 55 hours @ \$52/hour (actual fee) = \$2,860.

Initial and final staff review: 975 x .2 hours = 195 hours x \$128 = \$24,960.

Total annual cost to the government is \$27,820. This decrease is due to an estimated reduction in the number of certificates expected annually for initial and final staff review and the number of

certificates requiring review by the NRC consultant examining physician. The decrease also reflects a reduction in the amount of review time required by the physician, which is based on improved guidance and experience gained by the staff during the current clearance period.

This cost is fully recovered by fee assessments to NRC licensees pursuant to 10 CFR Part 171.

15. Reasons for Change in Burden

The estimated burden represents a decrease of 183.75 hours in the annual industry burden approved for the current clearance. This decrease is due to a reduction in the anticipated number of new and renewal certification submittals, a reduction in the number of notices of disability, and a slight reduction in records retained.

16. Publication for Statistical Use

This information is not published for statistical use.

17. Reason for Not Displaying the Expiration Date

The expiration date is displayed.

18. Exceptions to the Certification Statement

None.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Statistical methods are not employed in the collection of information.

Enclosure:
NRC Form 396

(MM/YY)

10 CFR 55.21, 55.23,
55.26, 55.27, 55.31,
55.33, 55.57

Estimated burden per response to comply with this information collection request: 15 minutes. NRC requires this information to determine that the physical condition and health of operator licensees is such that the applicant would not be expected to cause operational errors endangering the public health and safety. Forward comments regarding burden estimate to the Information and Records Management Branch (T-6 F33), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to the Paperwork Reduction Project (3150-0024), Office of Management and Budget, Washington, DC 20503. NRC may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

CERTIFICATION OF MEDICAL EXAMINATION BY FACILITY LICENSEE

NAME OF APPLICANT

FACILITY

FACILITY DOCKET NUMBER

A. MEDICAL EXAMINATION CERTIFICATION

THIS IS TO CERTIFY THAT THE ABOVE NAMED APPLICANT FOR AN OPERATOR/SENIOR OPERATOR LICENSE HAS BEEN EXAMINED BY A PHYSICIAN.

PRINTED NAME (of physician)

STATE AND LICENSE NUMBER

MOST RECENT PHYSICAL
EXAMINATION DATE

BASED ON THE RESULTS OF THE EXAMINATION, INCLUDING INFORMATION FURNISHED BY THE APPLICANT, THE PHYSICIAN HAS DETERMINED THAT THE APPLICANT'S PHYSICAL CONDITION AND GENERAL HEALTH ARE SUCH THAT THE APPLICANT WOULD NOT BE EXPECTED TO CAUSE OPERATIONAL ERRORS ENDANGERING PUBLIC HEALTH AND SAFETY. I CERTIFY THAT IN REACHING THIS DETERMINATION, THE GUIDANCE CONTAINED IN ANSI/ANS 3.4-1983, OR ANSI/ANS 15.4-1988 (N380) WAS FOLLOWED AND THAT DOCUMENTATION IS AVAILABLE FOR REVIEW BY NRC. IF THE GUIDANCE IN THE APPROPRIATE ANSI/ANS DOCUMENT IS NOT COMPLIED WITH, AN ACCEPTABLE ALTERNATIVE METHOD, WHICH HAS BEEN APPROVED BY NRC, WAS USED.

ON THE BASIS OF THE RECOMMENDATION OF THE PHYSICIAN, I RECOMMEND THAT THE APPLICANT'S OPERATOR LICENSE BE CONDITIONED AS FOLLOWS:

1. NO RESTRICTIONS
2. CORRECTIVE LENSES BE WORN WHEN PERFORMING LICENSED DUTIES
3. HEARING AID BE WORN WHEN PERFORMING LICENSED DUTIES
4. RESTRICTED LICENSE OR EXCEPTION -- Provide details below and attach supporting medical evidence for NRC review.
5. RESTRICTION CHANGE FROM PREVIOUS SUBMITTAL -- Provide details below and attach supporting medical evidence for NRC review.

PROPOSED WORDING OF RESTRICTION (Block 4 above)

RELATIONSHIP OF RESTRICTION TO DISQUALIFYING CONDITION (Briefly indicate how restriction will correct the disqualifying condition)

REMARKS FOR RESTRICTION CHANGE (Block 5 above)

B. NONMEDICAL CERTIFICATION

THIS CERTIFIES THAT THE APPLICANT HAS BEEN FOUND TO MEET THE SAFEGUARDS AND FITNESS FOR DUTY REQUIREMENTS OF THIS FACILITY FOR LICENSED OPERATORS.

ANY FALSE STATEMENT OR OMISSION IN THIS DOCUMENT, INCLUDING ATTACHMENTS, MAY BE SUBJECT TO CIVIL AND CRIMINAL SANCTIONS. I CERTIFY UNDER PENALTY OF PERJURY THAT THE INFORMATION IN THIS DOCUMENT AND ATTACHMENTS IS TRUE AND CORRECT.

PRINTED NAME AND TITLE (Senior Management Representative on Site)

SIGNATURE

DATE

In accordance with 10 CFR 55.5, Communications, this original form shall be submitted to the NRC as follows: BY MAIL ADDRESSED TO:

REGIONAL ADMINISTRATOR, REGION I
U.S. NUCLEAR REGULATORY COMMISSION
475 ALLENDALE ROAD
KING OF PRUSSIA, PA 19406-1415

REGIONAL ADMINISTRATOR, REGION II
U.S. NUCLEAR REGULATORY COMMISSION
101 MARIETTA STREET NW, SUITE 2900
ATLANTA, GA 30323-0199

REGIONAL ADMINISTRATOR, REGION III
U.S. NUCLEAR REGULATORY COMMISSION
801 WARRENVILLE RD
JOLIE, IL 60532-4351

REGIONAL ADMINISTRATOR, REGION IV
U.S. NUCLEAR REGULATORY COMMISSION
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TX 76011-8064

OPERATOR LICENSING BRANCH
DIVISION OF REACTOR CONTROLS AND
HUMAN FACTORS
U.S. NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555-0001

U. S. NUCLEAR REGULATORY COMMISSION

Agency Information Collection Activities: Submission for OMB Review; Comment Request

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

ACTION: Notice of the OMB review of information collection and solicitation of public comment.

SUMMARY: The NRC has recently submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35). The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

1. Type of submission, new, revision, or extension:
Extension/Revision
2. The title of the information collection: NRC Form 396,
Certification of Medical Examination by Facility Licensee

3. The form number if applicable: NRC Form 396
4. How often the collection is required: Upon application for an initial operator license, every six years for the renewal of operator or senior operator licenses, and upon notices of disability.
5. Who will be required or asked to report: Facility employers of applicants for operator licenses.
6. An estimate of the number of responses: 975
7. The estimated number of annual respondents: 975
8. An estimate of the total number of hours needed annually to complete the requirement or request: Reporting: 243.75 hours (.25 hours per response), Recordkeeping: 497.5 (.10 hour per record)
9. An indication of whether Section 3507(d), Pub. L. 104-13 applies: Not applicable
10. Abstract: NRC Form 396 establishes the procedure for transmitting information to the NRC regarding the medical condition of applicants for initial or renewal operator licenses and for the maintenance of medical records for all

licensed operators. The information is used to determine whether the physical condition and general health of applicants for operator licenses is such that the applicant would not be expected to cause operational errors endangering public health and safety.

A copy of the submittal may be viewed free of charge at the NRC Public Document Room, 2120 L Street, NW (Lower Level), Washington, DC. Members of the public who are in the Washington, DC, area can access the submittal via modem on the Public Document Room Bulletin Board (NRC's Advanced Copy Document Library) NRC subsystem at FedWorld, 703-321-3339. Members of the public who are located outside of the Washington, DC, area can dial FedWorld, 1-800-303-9672, or use the FedWorld Internet address: fedworld.gov (Telnet). The document will be available on the bulletin board for 30 days after the signature date of this notice. If assistance is needed in accessing the document, please contact the FedWorld help desk at 703-487-4608. Additional assistance in locating the document is available from the NRC Public Document Room, nationally at 1-800-397-4209, or within the Washington, DC, area at 202-634-3273.

Comments and questions should be directed to the OMB reviewer by (insert date 30 days after publication in the Federal Register):

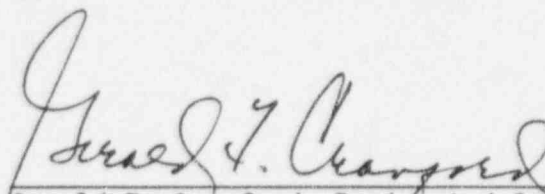
Edward Michlovich
Office of Information and Regulatory Affairs (3150-0024)
NEOB-10202
Office of Management and Budget
Washington, DC 20503

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

The NRC Clearance Officer is Brenda Jo. Shelton, (301) 415-7233.

Dated at Rockville, Maryland, this 30th day of September 1996.

For the Nuclear Regulatory Commission

A handwritten signature in cursive script, reading "Gerald F. Cranford", written over a horizontal line.

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