

NOTATION VOTE

RESPONSE SHEET

TO: John C. Hoyle  
Secretary of the Commission

FROM: COMMISSIONER DICUS

SUBJECT: SECY-96-206, RULEMAKING PLAN FOR 10 CFR PART 55  
TO CHANGE LICENSED OPERATOR EXAMINATION  
REQUIREMENTS

Approved   X W/COMMENTS   Disapproved            Abstain

Not Participating            Request Discussion           

COMMENTS:

I approve the staff proposal for full implementation of the new examination process on a voluntary basis with the issuance of NUREG-1021, Revision 8, and I approve the staff proposal to pursue rulemaking to require that power reactor facility licensees draft operator license examinations in accordance with NUREG-1021. However, I do have reservations which are similar to those expressed by Commissioner Diaz. If additional experience gained during the continuation of the voluntary program, together with the insights gained as a result of the rulemaking process suggest that this may not be the appropriate direction to take, the Commission would need to reconsider its position before approving any final rule changes. In either case, the ability of the staff to correctly monitor the process is of paramount importance and should be reflected appropriately in staff procedures.

I also concur with the comments of Commissioners Rogers and McGaffigan.

  
SIGNATURE

Release Vote /   X   /

October 31, 1996  
DATE

9612180401 961217  
PDR COMMS NRCC  
CORRESPONDENCE PDR

Withhold Vote /        /

Entered on "AS" Yes   X   No

NOTATION VOTE

RESPONSE SHEET

TO: John C. Hoyle, Secretary

FROM: COMMISSIONER DIAZ

SUBJECT: SECY-96-206 - RULEMAKING PLAN FOR AMENDMENTS  
TO 10 CFR PART 55 TO CHANGE LICENSED  
OPERATOR EXAMINATION REQUIREMENTS

Approved \_\_\_\_\_ Disapproved *hjd* Abstain \_\_\_\_\_

Not Participating \_\_\_\_\_ Request Discussion \_\_\_\_\_

COMMENTS: *see attached comments* *hjd*

10/18/96 PM 3:27

*hjd*  
SIGNATURE

Release Vote */✓/*

*10/18/96*

DATE

Withhold Vote */ /*

Entered on "AS" Yes *✓* No \_\_\_\_\_

Comments on SECY-96-206

I am not fundamentally opposed to the action of delegating authority for licensed operator examinations to licensees provided that the quality of operators, as determined by testing, is improved or at a minimum, maintained at present levels. It is unclear to me how independent development and administration of as many as 70 separate reactor operator exams is more cost effective than the current practice. Merely conserving NRC resources is not an adequate justification for abdicating responsibility for operator licensing examinations. The total cost to the resources of the nation must be considered. Further, the staff rejected a similar proposal by Virginia Power only 2 years ago on the basis that uniformity and consistency would suffer, independence would be sacrificed, exam integrity and security could not be assured, and program stability would be jeopardized. The staff has not demonstrated that the circumstances have sufficiently changed to justify this policy reversal. In the absence of significant cost savings, only an improvement in the protection of the health and safety of the public or workers would justify such an action. Such an improvement has not been demonstrated. I therefore disapprove the proposed rule plan and the implementation of Revision 8 to NUREG-1021 on a voluntary basis.