

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 OCT 26 PM 3:27

hjd

SIGNATURE

10/18/96

DATE

Release Vote ☒

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.

N O T A T I O N V O T E

RESPONSE SHEET

TO: John C. Hoyle, Secretary

FROM: COMMISSIONER MCGAFFIGAN

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

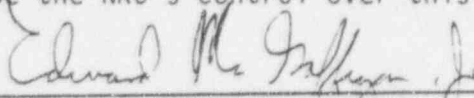
Approved X Disapproved Abstain

Not Participating Request Discussion

COMMENTS:

I concur with Commissioner Rogers' comments and with Chairman Jackson's addition, with one edit, namely "the staff should draft at least one initial licensing examination per region per year."

I also recommend that, in light of past press interest in this matter and the continuing opposition of at least one "concerned member of the public" to the change proposed, the Statements of Consideration should specifically describe (1) the continuing NRC involvement and oversight in approving individual initial operator licensing examinations--written, dynamic simulator, and plant walk through, and (2) the complete NRC control over the administration of the dynamic simulator and plant walk through. In addition, the press release accompanying the proposed rule should similarly describe the NRC's control over this process.



SIGNATURE

Release Vote X

10 / 29 / 96

DATE

Withhold Vote

Entered on "AS" Yes X No



OFFICE OF THE
SECRETARY

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

December 17, 1996

MEMORANDUM TO: James M. Taylor
Executive Director for Operations

FROM: John C. Hoyle, Secretary

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

The Commission has approved the staff's rulemaking plan to establish new procedures for the preparation and administration of initial examinations for power reactor operators. The Commission also approved implementation of Revision 8 of NUREG-1021 on a voluntary basis until the rulemaking is complete. The revised press release, as attached, should be issued to announce the agency plans in this matter.

The headquarters staff should evaluate, on a continuing basis, a sampling of examinations developed under the new examination procedure and the quality of the Regional Operator Licensing Program to ensure that the quality of examinations is maintained. Further, the Statements of Consideration for the rule should specifically describe (1) the continuing NRC involvement and oversight in approving site specific initial operator licensing examinations - written, dynamic simulator, and plant walk through; and (2) the complete NRC control over administration of the dynamic simulator and plant walk through examinations. The press release should reflect the Commission's decision to proceed with rulemaking and should similarly describe the NRC's control over the licensed operator examination process.

The staff should continue to monitor pilot program results and present the most current data to the Commission with the proposed and final rulemaking packages. If additional experience gained during the remainder of the voluntary pilot program together with insights gained as a result of the rulemaking process suggest

SECY NOTE: THIS SRM, SECY-96-206, AND THE COMMISSION VOTING
RECORD CONTAINING THE VOTE SHEETS OF ALL
COMMISSIONERS WILL BE MADE PUBLICLY AVAILABLE 5
WORKING DAYS FROM THE DATE OF THIS SRM.

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that this may not be the appropriate direction to take, the Commission should be informed of such results in order to reconsider its position prior to approving the final rule.

(EDO)

(SECY Suspense: 2/21/97)

The proposed examination process is dependent upon the abilities of the NRC Chief Examiners to identify weak examinations and to work with facility licensees to maintain examination quality. Maintaining examiner proficiency in these matters is of paramount importance and should be reflected appropriately in the staff procedures and by the budgeting of adequate resources every year. The staff should draft at least one initial operator licensing examination per region per calendar year to aid in maintaining proficiency in examination writing, to aid in training of new examiners, and to serve as a quality check. The staff should also regularly convene, on intervals not to exceed 24 months, operator licensing examiner conferences and refresher training sessions, to sustain and improve examiner proficiencies in the relevant technical and communication skills.

Once the final rule is in place, the staff should provide the Commission with an annual update of experience with the new examination procedure and the results of headquarters oversight of examination development.

(EDO)

(SECY Suspense:

Annually, after approval
of final rule)

Attachment:

As stated

cc: Chairman Jackson
Commissioner Rogers
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan

OGC

OCA

OIG

Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)

COMMISSION APPROVES RULEMAKING PLAN FOR UTILITY ROLE
IN INITIAL REACTOR OPERATOR LICENSE EXAMINATIONS

The Nuclear Regulatory Commission has authorized the NRC staff to develop a rule requiring that all nuclear power plant licensees prepare - under NRC direction - initial reactor operator license examinations.

The proposed rule will be prepared for Commission review and approval for public comment early next year. Until a final rule is adopted, applicants for operator licenses will continue to be examined by using either NRC-prepared tests or those prepared by utilities participating voluntarily in an NRC-supervised pilot program begun last year. The Commission will take the agency's experience with the pilot program into consideration when it evaluates both the proposed and final rules.

Reactor operator applicants seeking a license to manipulate the controls of a nuclear power plant must pass both a comprehensive, multiple-choice written test and a practical, hands-on examination. The generic fundamentals examination, a second written test that each applicant must pass to be considered for the final license examination, will continue to be written and administered by the NRC. In the practical phase, applicants must demonstrate a mastery of plant systems and procedures, and the ability to deal with operational events on a control room simulator. Licenses are issued for a specific facility.

The rulemaking plan includes these provisions:

- NRC will continue to administer and grade the control room simulator and plant walk-through examination phases, during which each candidate is evaluated on a one-on-one basis.
- All examinations drafted by utilities will be subject to review, modification and approval by NRC examiners before the tests are given. NRC will have the option of preparing a test in lieu of accepting or modifying one prepared by a utility.
- To be approved by NRC, examinations must comply with detailed NRC guidance which deals with such matters as appropriate level of difficulty, maintenance of examination security, and restrictions on test preparation by those significantly involved in training license applicants. The guidance document, "Operator Licensing Examination Standards for Power Reactors" (NUREG-1021), has been revised to implement the new process.
- Once the new licensing examination process has become fully operational, the NRC staff will prepare at least one examination annually in each of the agency's four regions to ensure that the staff maintains its

proficiency in examination writing and to serve as a quality check on the process.

Historically, either NRC staff examiners or NRC contractors have prepared and administered all operator license tests. But in April 1995, the Commission approved a staff proposal that the agency begin evaluating a system wherein nuclear power plant licensees would prepare the tests under NRC oversight. The Commission took this action to recognize substantial improvements in industry training programs, to make the operator licensing program more efficient, and to realize budgetary savings.

The staff solicited volunteers for a pilot program in a letter sent to all nuclear utilities in August of last year, and launched the program two months later. Between October 1995 and April of this year, the staff reviewed and approved 22 operator licensing examinations prepared by utilities in accordance with published NRC guidance. These examinations were used to test 146 applicants for reactor operator and senior reactor operator licenses.

After a staff briefing in June, the Commission authorized continuation of the pilot program through July 1997 to provide time for the rulemaking process. About half the initial reactor operator licensing examinations now being given are prepared, and one of the written examinations is administered, by utilities taking part in the voluntary, pilot program.

It is esimated that the new license examination process would permit the NRC to save between \$3 million and \$4 million paid annually to contractors for support of operator licensing and regualification inspection programs. Unaffected by the new rule is the licensing of operators for non-power reactors, who will continue to be examined by the NRC. Also unchanged is the present system whereby utilities prepare and administer regualification examinations to licensed operators as part of an NRC-approved training program.

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