

U. S. NUCLEAR REGULATORY COMMISSION

Agency Information Collection Activities: Proposed Collection; Comment request

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

ACTION: Notice of pending NRC action to submit an information collection request to OMB and solicitation of public comment.

SUMMARY: The NRC is preparing a submittal to OMB for review of continued approval of information collections under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

Information pertaining to the requirement to be submitted:

1. The title of the information collection: 10 CFR Part 55, "Operators' Licenses"
2. Current OMB approval number: 3150-0018
3. How often the collection is required: As necessary in order for NRC to meet its responsibilities to determine the eligibility of applicants for operators' licenses and perform a review of applications and reports for simulation

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facilities submitted to the NRC.

4. Who is required or asked to report: Holders of and applicants for facility (i.e., nuclear power, research, and test reactor) operating licenses and individual operators' licenses.
5. The number of annual respondents: 135
6. The number of hours needed annually to complete the requirement or request: 3,556 (approximately 964 hours of reporting burden and approximately 2 1/2 hours of recordkeeping burden).
7. Abstract: 10 CFR Part 55 of the NRC's regulations, "Operators' Licenses" specifies information and data to be provided by applicants and facility licensees so that the NRC may make determinations concerning the licensing of operators for nuclear power plants necessary to promote the health and safety of the public. The reporting and recordkeeping requirements contained in 10 CFR Part 55 are mandatory for the licensees and applicants affected.

Submit, by (insert date 60 days after publication in the Federal Register), comments that address the following questions:

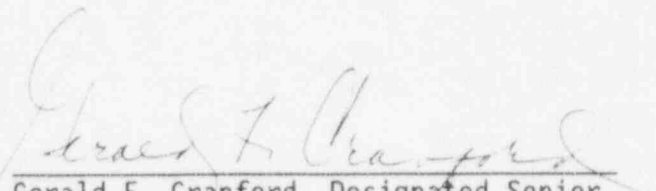
1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?
2. Is the burden estimate accurate?
3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?
4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

A copy of the draft supporting statement 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 this document 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 about the information collection requirements may be directed to the NRC Clearance Officer, Brenda Jo. Shelton, U.S. Nuclear Regulatory Commission, T-6 F33, Washington, DC, 20555-0001, by telephone at (301) 415-7233, or by Internet electronic mail at BJS1@NRC.GOV.

Dated at Rockville, Maryland, this 8th day of October, 1996.

For the Nuclear Regulatory Commission.


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

DRAFT SUPPORTING STATEMENT
FOR
10 CFR PART 55, OPERATORS' LICENSES

(OMB CLEARANCE NO. 3150-0018)

EXTENSION/REVISION REQUEST

DESCRIPTION OF THE INFORMATION COLLECTION

- (1) All holders of operating licenses and applicants for operating licenses (i.e., nuclear power, research, and test reactors) shall submit:
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|---|---|
| \$55.23, 55.31(a)(6), and 55.57(a)(6): | NRC Form 396, "Certification of Medical Examination by Facility Licensee" (currently approved under OMB Clearance No. 3150-0024). |
| \$55.25: | Notification to the Commission within 30 days of learning of the diagnosis of a licensed operator's permanent physical or mental disability. Submittal of NRC Form 396 is required if a license restriction is requested (currently approved under OMB Clearance No. 3150-0024). |
| \$55.27: | Report medical qualifications data to Commission upon request (currently approved under OMB Clearance No. 3150-0024). |
| \$55.31(a)(3) and (4): | Written request 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). |
| \$55.35(a): | Certification on NRC Form 398 that the applicant is ready for reexamination and a statement that describes the extent of the applicant's retraining (currently approved under OMB Clearance No. 3150-0090). |
| \$55.41(a), 55.43(a), and 55.45(a): | Information regarding examination content for operators to whom 10 CFR 55 applies (currently approved under OMB Clearance No. 3150-0101). |
| \$55.53(f): | Certification that the qualifications and training of a licensee who has not been actively performing the functions of an operator are current. |

\$55.57(a)(4) and (5): Certification on NRC Form 398 that the renewal applicant has competently and safely discharged the license responsibilities and satisfactorily completed the requalification program during the effective term of the current license (currently approved under OMB Clearance No. 3150-0090).

\$55.59(c): Requalification program and, upon request, comprehensive requalification written examinations or annual operating tests (currently approved under OMB Clearance No. 3150-0101).

and keep on file:

\$55.27: Retain medical qualifications data (currently approved under OMB Clearance No. 3150-0024).

\$55.59(c)(5)(i): Maintain records of operator participation in the requalification program until license is renewed.

- (2) All holders of operating licenses and applicants for operating licenses (i.e., nuclear power plants) that intend to conform with the requirements of 10 CFR 55.45(b) through the use of other than a plant-referenced simulator shall submit:

\$55.45(b)(4)(i) and (vi): An application for NRC approval of a simulation facility proposed for use in the partial conduct of operating tests identified in \$55.45(a). Reapplications must include a description of corrective actions and performance test results.

\$55.45(b)(4)(iii): Every four years, a report which identifies any uncorrected performance test failures, and a schedule for correction of such failures.

\$55.45(b)(4)(vii): With reports submitted pursuant to (b)(4)(i), (iii), and (vi), a description of performance testing completed for the simulation facility, a description of the performance tests, if different, to be conducted on the simulation facility during the subsequent four-year period, and a schedule for the conduct of approximately 25 percent of the performance tests per year for the subsequent four years.

and keep on file:

\$55.45(b)(4)(iv): The results of the performance tests conducted until four years after submittal of the application, each four-year report, or any reapplication.

- (3) All holders of operating licenses and applicants for operating licenses (e.g., nuclear power plants) that intend to conform with the requirements of 10 CFR 55.45(b) through the use of a certified plant-referenced simulator shall submit:

\$55.45(b)(5)(i) and (v): NRC Form 474, "Simulation Facility Certification," if the facility licensee intends to use a simulation facility which consists solely of a plant-referenced simulator. Recertifications must include a description of corrective actions and performance test results (currently approved under OMB Clearance No. 3150-0138).

\$55.45(b)(5)(ii): Every four years, a report which identifies any uncorrected performance test failures, and a schedule for correction of such failures.

\$55.45(b)(5)(vi): With reports submitted pursuant to (b)(5), a description of performance testing completed for the simulation facility, a description of the performance tests, if different, to be conducted on the simulation facility during the subsequent four-year period, and a schedule for the conduct of approximately 25 percent of the performance tests per year for the subsequent four years.

and keep on file:

\$55.45(b)(5)(iii): The results of performance tests conducted until four years after the submittal of the certification, each four-year report, or any recertification.

- (4) All holders of or applicants for an operator's license (e.g., reactor operators) will:

\$55.31(a) and (d): Submit NRC Form 398, "Personal Qualification Statement--Licensee," to apply for a license (currently approved under OMB Clearance No. 3150-0090).

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

\$55.35: Submit reapplication on NRC Form 398 (currently approved under OMB Clearance No. 3150-0090).

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

- \$55.53(g): Submit notification of conviction of a felony within 30 days.
- \$55.57(a): Submit application for renewal of license on NRC Form 398 (currently approved under OMB Clearance No. 3150-0090).
- \$55.59(b): Submit evidence of successful completion of additional training, if necessary.

A. JUSTIFICATION

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

The regulations in 10 CFR 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, and Part 50 of this chapter, provide for the terms and conditions upon which the Commission will issue or modify these licenses, and provide for the terms and conditions to maintain and renew these licenses.

The information collection requirements apply to all holders of operating licenses and applicants for operating licenses (e.g., nuclear power plants). Several of the information collections apply to holders of or applicants for an operator's license (e.g., reactor operators) as defined in 10 CFR 50 and 10 CFR 55.

The information collections related to 10 CFR 55 are necessary to permit timely examination of operators and senior operators as well as timely issuance and renewal of operators' licenses.

This supporting statement is designed to provide a comprehensive overview of the information collection requirements specified in 10 CFR 55. Note that supporting statements for separate OMB approvals were submitted for NRC Forms 396, 398, and 474 and the related provisions of Part 55. The burden hours associated with NRC Forms 396 (OMB Clearance No. 3150-0024), 398 (OMB Clearance No. 3150-0090), and 474 (OMB Clearance No. 3150-0138) and the related provisions of reactor operator licensing and requalification programs (OMB Clearance No. 3150-0101) are contained in those statements. However, all of these provisions are identified in this Supporting Statement, including Table 12(a), for the sake of completeness.

In addition to the rules, three Regulatory Guides have been issued to provide guidance on acceptable methods of implementing the regulations. These Regulatory Guides are:

1. Regulatory Guide 1.134 - Medical Evaluation of Licensed Personnel for Nuclear Power Plants (Revision 2). This Regulatory Guide is in the process of being revised. It is anticipated that Revision 3 will be issued by early CY 1997.

2. Regulatory Guide 1.149 - Nuclear Power Plant Simulation Facilities for Use in Operator License Examinations (Revision 2)
3. Regulatory Guide 1.8 - Qualification and Training of Personnel for Nuclear Power Plants (Revision 2). This Regulatory Guide is in the process of being revised. It is anticipated that Revision 3 will be issued by early CY 1997.

2. Agency Use of Information

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

- development of NRC-administered written examinations and operating tests;
- review and approval of operators' license applications;
- review and evaluation of facility requalification programs;
- review of plans and performance testing for development and use of simulation facilities; and
- review and approval of applications for use of simulation facilities for the partial conduct of operating tests.

To the extent possible, the licensees and applicants will be required to maintain documentation rather than submit reports to the NRC.

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 responses are submitted electronically.

4. Effort to Identify Duplication and Use Similar Information

The Information Requirements Control Automated System (IRCAS) was searched for duplication. None was found. Similar information is not available.

5. Effort to Reduce Small Business Burden

The burden on small business affects 44 licensees of non-power plants (research/test reactors). This burden cannot be reduced without jeopardizing the timely examination of operators and senior operators as well as the timely issuance and renewal of operators' licenses.

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

The information collection is either a "one time only" requirement or an "as required" requirement, except for the four-year reporting requirement for performance testing of simulation facilities. No other frequency of collection is assigned. If the simulation facility performance testing data were collected less frequently, the Commission would not be able to determine that a simulation facility otherwise meets the requirements of Part 55.

7. Circumstances Which Justify Variation from OMB Guidelines

The record retention periods vary from the three-year period specified in OMB guidelines. It is necessary to retain these records for longer periods of time to insure operational safety at nuclear reactor facilities.

8. Consultations Outside the NRC

The NRC is evaluating a change to the operator licensing process under which power reactor facility licensees will assume greater responsibility for preparing the initial operator licensing examinations. As a part of that initiative, the NRC issued a draft revision to NUREG-1021, "Operator Licensing Examiner Standards," for public comment on February 22, 1996 (61 FR 6869). Comments have been incorporated in Rev. 8 which will be issued upon Commission approval.

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of Information

The NRC provides no pledge of confidentiality for this collection of information other than those records which are covered under NRC 16, System of Records.

11. Justification for Sensitive Questions

No sensitive information is requested for this information collection.

12. Estimated Industry Burden and Burden Hour Cost

(a) The recordkeeping and reporting burdens are described below.

The estimated number of hours per response/recordkeeper for four items shown in Table 12(a) are given as a range. The computation of burden for these items is based upon the maximum value in the range. Since many facility licensees presently collect and maintain

simulation facility data that would be needed for the reports and applications, it is expected that the actual burden will be substantially less than that shown. See Table 12(a), page 11, for details pertaining to the recordkeeping burden.

(b) Source of Burden Data and Method for Estimating Burden.

Burden estimates are based upon discussion with several nuclear unit employees, NRC contractors, and NRC personnel familiar with these reporting requirements.

13. Estimate of Other Additional Costs

None.

14. Estimated Annualized Cost to the Federal Government

The total annual cost to the Federal Government is estimated to be \$86,240 as shown in Table 14(a). This cost is fully recovered by fee assessments to NRC licensees pursuant to 10 CFR Part 171.

15. Reasons for Change in Burden or Cost

The previous clearance request erroneously indicated that the burden for holders of an operator's license to submit evidence of successful completion of additional training in accordance with 10 CFR 55.59(b) was approved under OMB Clearance No. 3150-0101. An estimated burden of 20 hours (20 responses x 1 hour per response) has been added to Table 12(a) to cover this requirement.

16. Publication for Statistical Use

NRC does not publish information submitted in accordance with 10 CFR Part 55 for statistical use.

17. Reason for Not Displaying the Expiration Date

The requirement is contained in a regulation. Amending the Code of Federal Regulations 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

None.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Not applicable.

Attachments:
Tables 12(a) and 14(a)

TABLE 12(a) ESTIMATED INDUSTRY BURDEN AND BURDEN HOUR COST

| <u>REPORT</u> | <u>SUBSECTION</u> | <u>HOURS/RESPONSE</u> | <u>NUMBER OF RESPONSES</u> | <u>BURDEN HOURS</u> | <u>COST @ \$128/HR</u> |
|---|---------------------------------------|--|--------------------------------|-------------------------|----------------------------|
| Certification of Medical Examination | 55.23(a)(b) | Currently approved under OMB No. 3150-0024 | | | |
| Notification of Disability | 55.25 | Currently approved under OMB No. 3150-0024 | | | |
| Report on Medical Data at Request of Commission | 55.27 | Currently approved under OMB No. 3150-0024 | | | |
| Application NRC Form 398 | 55.31(a)(d) | Currently approved under OMB No. 3150-0090 | | | |
| Submit Additional Information Upon Request | 55.31(b) | 1 - 2 hours | 50 | 100 | \$12,800 |
| Medical Report NRC Form 396 | 55.31(a)(6) | Currently approved under OMB No. 3150-0024 | | | |
| Reapplication Procedures NRC Form 398 | 55.35 | Currently approved under OMB No. 3150-0090 | | | |
| Exam Content Information | 55.41(a) 55.43(a), and 55.45(a) | Currently approved under OMB No. 3150-0101 | | | |
| Application of Simulation Facility Approval | 55.45(b)(4)(i) and (vi) | 40 - 120 hours | 0 | 0 | \$0 |
| Simulation Facility Certification NRC Form 474 | 55.45(b)(5)(i) and (v) | Currently approved under OMB No. 3150-0138 | | | |

| <u>REPORT</u> | <u>SUBSECTION</u> | <u>HOURS/RESPONSE</u> | <u>NUMBER OF RESPONSES</u> | <u>BURDEN HOURS</u> | <u>COST @ \$128/HR</u> |
|--|---|---|--------------------------------|-------------------------|----------------------------|
| Four-year Performance Testing Report for Simulation Facilities | 55.45(b)(4)(iii) and 55.45(b)(4)(vii); 55.45(b)(5)(ii) and 55.45(b)(5)(vi) | 8 - 40 hours | 20 | 800 | \$102,400 |
| Request for Waivers of Examination and Test | 55.47 | Currently approved under OMB No. 3150-0090 | | | |
| Certify Licensee Qualifications and Training for Reactivation | 55.53(f) | 1 | 40 | 40 | \$ 5,120 |
| Notification of Felony | 55.53(g) | 45 minutes | 5 | 3.75 | \$ 480 |
| Renewal Application | 55.57(a) | Currently approved under OMB No. 3150-0090 | | | |
| Evidence of Retraining | 55.59(b) | 1 | 20 | 20 | \$ 2,560 |
| Requalification Examinations and Tests | 55.59(c) | Currently approved under OMB No. 3150-0101 | | | |
| Report Subtotal | | | 135 | 963.75 | \$123,360 |

| <u>RECORDS</u> | <u>SUBSECTION</u> | <u>HOURS/RECORDKEEPER</u> | <u>NUMBER OF RECORDKEEPERS</u> | <u>BURDEN HOURS</u> | <u>COST @ \$128/HR</u> |
|--|---|---|------------------------------------|-------------------------|----------------------------|
| Maintain Medical Qualifications Data | 55.27 | Currently approved under OMB No. 3150-0024 | | | |
| Maintain Data Collected for Report of Performance Testing | 55.45(b)(4)(iv) and 55.45(b)(5)(iii) | 6 - 24 hours | 72 | 1.728 | \$221.184 |
| Maintain Records | 55.59(c)(5)(i) | 10 - 12 hours | 72 | 864 | \$110.592 |
| | | Recordkeeping Subtotal | 72 | 2.592 | \$331.776 |
| Total Industry Burden | | | 207 | 3.555.75 | \$455.736 |

TABLE 14(a) ESTIMATE OF ANNUAL COST TO THE FEDERAL GOVERNMENT

| <u>REPORT</u> | <u>SUBSECTION</u> | <u>HOURS/RESPONSE</u> | <u>NUMBER OF RESPONSES</u> | <u>BURDEN HOURS</u> | <u>COST @ \$128/HR</u> |
|---|---------------------------------------|-----------------------|--------------------------------|-------------------------|----------------------------|
| Review Additional Information | 55.31(b) | 15 minutes | 50 | 12.5 | \$ 1,600 |
| Review Plans for Simulation Facility Development | 55.45(b)(2)(i) | 0 | 0 | 0 | \$ 0 |
| Review Applications | 55.45(b)(4)(i)(vi) | 40 - 80 hours | 0 | 0 | \$ 0 |
| Review/Audit Simulation Facilities | 55.45(b)(4)(v) and 55.45(b)(5)(iv) | 40-160 hours | 4 | 640 | \$81,920 |
| Review Training and Qualification Certifications for License Reactivation | 55.53(f) | 30 minutes | 40 | 20 | \$ 2,560 |
| Review Notification of Felony | 55.53(g) | 15 minutes | 5 | 1.25 | \$ 160 |
| TOTAL Government Burden | | | 99 | 673.75 | \$86,240 |