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DRAFT REGULATORY GUIDE

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DRAFT REGULATORY GUIDE DG-1068
(Proposed Revision 3 to Regulatory Guide 1.134)

MEDICAL EVALUATION OF LICENSED PERSONNEL AT NUCLEAR POWER PLANTS

A. INTRODUCTION

In 10 CFR Part 55, "Operators' Licenses," Sections 55.31, "How To Apply," and 55.57, "Renewal of Licenses," require that each initial or renewal application for an operator or senior operator license contain a certification of medical condition and general health as specified in Subpart C, "Medical Requirements," of 10 CFR Part 55. Sections 55.33, "Disposition of an Initial Application," and 55.57 state that the initial or renewal applications for these licenses will be approved if, among other things, the applicant's medical condition and general health will not cause operational errors that endanger public health and safety. In 10 CFR 55.53, "Conditions of Licenses," Paragraph (i) requires the licensee to have a medical examination biennially (i.e., every 2 years).

Section 55.25, "Incapacitation Because of Disability or Illness," is concerned with an operator or senior operator who becomes incapacitated because of a mental or physical condition that might cause impaired judgment or motor coordination.

Section 55.27, "Documentation," requires that the facility licensee document and maintain medical qualifications data, test results, and each operator's medical history for the current license period and provide this documentation to the NRC upon its request. The facility licensee must retain this documentation as long as the individual functions as an operator or senior operator.

This regulatory guide is being issued in draft form to involve the public in the early stages of the development of a regulatory position in this area. It has not received complete staff review and does not represent an official NRC staff position.

Public comments are being solicited on the draft guide (including any implementation schedule) and its associated regulatory analysis or value/impact statement. Comments should be accompanied by appropriate supporting data. Written comments may be submitted to the Rules Review and Directives Branch, DFIPS, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Copies of comments received may be examined at the NRC Public Document Room, 2120 L Street NW., Washington, DC. Comments will be most helpful if received by **March 17, 1997.**

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This guide describes a method acceptable to the NRC staff for providing the information needed by the staff for its evaluation of the medical qualifications of applicants for initial or renewal operator or senior operator licenses for nuclear power plants and for providing notification to the NRC of an incapacitating disability or illness.

Regulatory guides are issued to describe and make available to the public such information as methods acceptable to the NRC staff for implementing specific parts of the Commission's regulations, techniques used by the staff in evaluating specific problems or postulated accidents, and guidance to applicants. Regulatory guides are not substitutes for regulations, and compliance with regulatory guides is not required. Regulatory guides are issued in draft form for public comment to involve the public in the early stages of developing the regulatory positions. Draft regulatory guides have not received complete staff review and do not represent official NRC staff positions.

The information collections contained in this draft regulatory guide are covered by the requirements of 10 CFR Part 55, which were approved by the Office of Management and Budget, approval number 3150-0018. The 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.

B. DISCUSSION

In Subpart C, "Medical Requirements," of 10 CFR Part 55, Section 55.23, "Certification," requires certification that a physician has examined the applicant in accordance with NRC's regulatory guidance. Form NRC-396, "Certification of Medical Examination by Facility Licensee," must be completed by an authorized representative of the facility licensee and must certify that a physician has conducted the medical examination of the applicant as required by 10 CFR 55.21. The physician should have determined that the examinee's medical condition and general health will not adversely affect the performance of assigned operator job duties or cause operational errors endangering public health and safety. The intent of these requirements is to have the facility licensee certify the health of its operators.

The facility licensee is expected to maintain the records on operators or senior operators that may be requested and reviewed by the NRC. Therefore,

10 CFR 55.27 requires the facility licensee to document and maintain the medical qualifications data, test results, and each operator's medical history. In addition, 10 CFR 55.27 requires the facility licensee to retain each operator's medical history for the current license period and provide that information to the NRC on request.

There are two instances in which medical information must be sent to the NRC. One is when a conditional license based on medical evidence is requested under the provisions of 10 CFR 55.23(b) and 55.33(b). The second instance is when a licensed individual has become mentally or physically unable to perform job duties. In this case, the facility licensee must notify the NRC within 30 days after learning of the diagnosis. If a conditional license is requested, the facility licensee must forward the medical evidence on Form NRC-396. This documentation is required by 10 CFR 55.27 to be maintained by the facility.

An American National Standard developed by the American Nuclear Society, ANSI/ANS-3.4-1996, "Medical Certification and Monitoring of Personnel Requiring Operator Licenses for Nuclear Power Plants,"¹ prescribes minimum requirements necessary to determine that the medical condition and general health of nuclear reactor operators will not cause operational errors. The criteria presented in this standard provide an examining physician a basis for determining whether a potentially disqualifying abnormal health condition exists. Establishing minimum health requirements should aid in more uniform medical evaluations. However, it is necessary to recognize that, although it is the physician's responsibility to identify and evaluate any potentially disqualifying medical conditions, the NRC makes the final determination of the applicant's medical fitness.

Nothing in ANSI/ANS-3.4-1996 or this guide should be construed to mean that such matters as an individual's reading habits, political or religious beliefs, or attitudes on social, economic, or political issues should be investigated or judged.

C. REGULATORY POSITION

The requirements contained in ANSI/ANS-3.4-1996, "Medical Certification and Monitoring of Personnel Requiring Operator Licenses for Nuclear Power

¹Copies may be obtained from the American Nuclear Society, 555 North Kensington Avenue, La Grange Park, Illinois 60525.

Plants,"¹ provide methods acceptable to the NRC staff for determining the medical qualifications of applicants for initial or renewal operator or senior operator licenses.

D. IMPLEMENTATION

The purpose of this section is to provide information to applicants and licensees about the NRC staff's plans for using this regulatory guide.

This draft guide has been released to encourage public participation in its development. Except in those cases in which an applicant or licensee proposes an acceptable alternative method for complying with specified portions of the NRC's regulations, the methods to be described in the final guide reflecting public comments will be used in evaluating the part of an application for initial or renewal operator or senior operator licenses that is submitted on NRC Form 396, "Certification of Medical Examination by Facility Licensee."

VALUE/IMPACT ANALYSIS

A separate value/impact analysis has not been prepared for this draft regulatory guide. A value/impact analysis was included in the regulatory analysis for the amendments to 10 CFR Part 55 that was published on March 25, 1987. A copy of the regulatory analysis was placed in the NRC Public Document Room at that time. This regulatory analysis is also appropriate to Revision 3 of Regulatory Guide 1.134. A copy of the regulatory analysis is available for inspection and copying for a fee at the NRC Public Document Room, 2120 L Street NW., Washington, DC; the PDR's mailing address is Mail Stop LL-6, Washington, DC 20555; phone (202)634-3273; fax (202)634-3343.



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