

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

(OMB CLEARANCE NO. 3150-0018)

Extension

DESCRIPTION OF THE INFORMATION COLLECTION

The Nuclear Regulatory Commission's regulations in 10 CFR 55 establish: (1) procedures and criteria for the issuance of licenses to operators and senior operators of utilization facilities (which are licensed pursuant to the Atomic Energy Act of 1954, as amended, 10 CFR 50, and 10 CFR 52); (2) the terms and conditions upon which the Commission will issue or modify the operators' licenses; and (3) the terms and conditions to maintain and renew the operators' licenses.

The majority of the information collection requirements related to 10 CFR 55 apply to the holders of, and applicants for, utilization facility operating licenses (as defined in 10 CFR 50 and 52). Several of the information collections apply to the holders of, or applicants for, an individual operator's license (i.e., operators and senior operators as defined in 10 CFR 55). The information collections are necessary to permit the timely examination of applicants, operators, and senior operators as well as the issuance and renewal of operator licenses.

This supporting statement provides a comprehensive overview of the information collection requirements specified in 10 CFR 55. The burden hours associated with NRC Form 396, "Certification of Medical Examination by Facility Licensee" (OMB Clearance No. 3150-0024), NRC Form 398, "Personal Qualification Statement – Licensee" (OMB Clearance No. 3150-0090) and NRC Form 536, "Operator Licensing Examination Data" (OMB Clearance No. 3150-0131) are contained in the supporting statements for their associated OMB Clearances and are not included.

In addition to the regulations, three NRC Regulatory Guides and two NUREG reports provide guidance on acceptable methods of implementing the regulations. These Regulatory Guides and NUREG reports are:

1. Regulatory Guide 1.134 - Medical Evaluation of Licensed Personnel at Nuclear Power Plants (Revision 3), March 1998 (facility licensees may continue to use the earlier versions).
2. Regulatory Guide 1.149 - Nuclear Power Plant Simulation Facilities for Use in Operator Training and License Examinations (Revision 4), April 2011 (facility licensees may continue to use the earlier versions).
3. Regulatory Guide 1.8 - Qualification and Training of Personnel for Nuclear Power Plants (Revision 3), May 2000 (facility licensees may continue to use the earlier versions).

4. NUREG-1021 - Operator Licensing Examination Standards for Power Reactors (Revision 9, Supplement 1), October 2007.

5. NUREG-1478 – Operator Licensing Examiner Standards for Research and Test Reactors (Rev.2), June 2007.

- A. JUSTIFICATION

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

Holders of facility operating licenses (numbering 104 nuclear power facilities located at 65 sites and 31 non power facilities/sites) and holders of or applicants for an individual operator's license (numbering approximately 4,900) shall submit the following items in accordance with the indicated section of 10 CFR 55:

§55.11: Application for exemption from the requirements of the regulations in 10 CFR 55. Facility licensees are expected to comply with the regulations unless they provide sufficient information for the Commission to determine that a specific exemption is authorized by law, will not endanger life or property, and is otherwise in the public interest.

§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) and (d): Application 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). In practice, per NUREG-1021, power reactor facility licensees must also submit a written request for the NRC to administer the generic fundamentals examination (GFE) in advance of the formal license application.

§55.31(b): 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: 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).

§55.40(a) and (d): Information regarding exam content for operators. This information is needed for the NRC to prepare the site-specific written and operating tests that applicants must pass in order to obtain an operator's license.

§55.40(b)(1) and (3): The written examinations required by §55.41 and §55.43 and the operating tests required by §55.45. In lieu of submitting information from which the NRC will prepare the licensing examinations, power reactor facility licensees may prepare the examinations themselves and submit them to the NRC for review and approval.

§55.40(c): Written request for the NRC to prepare, proctor, and grade the required licensing examinations. Preparing a site-specific power reactor licensing examination requires significantly more resources than reviewing and approving a facility-prepared examination; therefore, a written request provides the basis to budget and schedule the resources. NRC Form 536 is used for this purpose; that form is currently approved under OMB Clearance No. 3150-0131.

§55.46(b): Power reactor facility licensees that propose to use a simulation facility, other than a plant-referenced simulator, or the plant in the administration of operating tests under §55.45(b)(1) or (3) shall request approval from the Commission. This is necessary to ensure the consistency and validity of the operating tests upon which licensing decisions are based.

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

§55.57(a): 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(a)(2)(iii): In lieu of the Commission accepting a certification by the facility licensee that the licensee has passed written examinations and operating tests administered by the facility licensee within its Commission-approved program developed by using a systems approach to training under paragraph (c) of this section, the Commission may administer a comprehensive requalification written examination and an annual operating test.

§55.59(c): Have a requalification program and, upon request, submit to the Commission a copy of comprehensive requalification written examinations or annual operating tests. This improves efficiency by enabling the NRC staff to review these materials before traveling to the site for a licensed operator requalification program inspection.

- b. The facility licensees are required to maintain the following documentation:

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

§55.40(b)(2): Establish, implement and maintain procedures to control examination security and integrity and have them available during facility inspections.

§55.46(d)(1): The results of the simulation facility performance tests are required to be retained for four years after completing the tests or until superseded by updated test results. The NRC staff will review uncorrected performance deficiencies to ensure that the operating tests administered per §55.45(b) are valid.

§55.53(f): Certification that the qualifications and status of a licensee who has not been actively performing the functions of an operator are current and valid. This certification, which, in practice, is not submitted to the NRC but subject to inspection on-site, ensures that licensed operators who have not maintained their watch-standing proficiency are fully qualified before they are allowed to resume licensed duties.

§55.59(b): Evidence of successful completion of additional training, if necessary. Licensed operators are required to complete a requalification training and examination program to maintain the knowledge, skills, and abilities needed to safely perform licensed duties. Included with 55.59 (c)(5)(i) reporting

§55.59(c)(5)(i): Maintain records of operator participation in the requalification program until the operator's license is renewed. This enables the facility licensee to certify, pursuant to §55.57(a)(4), that a license renewal applicant has satisfactorily completed the requalification program during the 6-year term of the license.

2. Agency Use of Information

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

- the preparation, review, and approval of the written examinations and operating tests used to determine whether the applicants for operator licenses have learned to operate the facility competently and safely and, additionally, for senior operators, whether the applicants have learned to safely and competently direct the activities of licensed operators;
- the review and approval of operator license applications (initial and renewal);

- the review and evaluation of the licensed operator requalification programs conducted by facility licensees; and
- the review of facility licensees' plans for, and performance testing of, simulation facilities.

3. Reduction of Burden Through Information Technology

There are no legal obstacles to reducing the burden associated with this information collection. The NRC encourages respondents to use information technology when it would be beneficial to them. NRC issued a regulation on October 10, 2003 (68FR58791), consistent with the Government Paperwork Elimination Act, which allows its licensees, vendors, applicants, and members of the public the option to make submissions electronically via CD-ROM, e-mail, special Web-based interface, or other means. It is estimated that approximately 85% of the potential responses for 10 CFR Part 55 (not including NRC Form 396 and NRC Form 398) are filed electronically. 100% of draft examinations and back-up information are submitted to the NRC and reviewed by the NRC electronically.

4. Effort to Identify Duplication and Use Similar Information

There is no duplication of requirements. NRC has in place an ongoing program to examine all information collections with the goal of eliminating all duplication and/or unnecessary information collections.

5. Effort to Reduce Small Business Burden

No small businesses are affected by these information collection requirements.

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

The information collections under 10 CFR 55, with the exceptions of the NRC Form 396, the NRC Form 398 and the NRC Form 536, are conducted "one time only" or "as required." No other frequency of collection is assigned. If the information collections were not conducted, the NRC would not be able to fulfill its statutory responsibility to determine the qualifications of applicants for operator licenses, including the preparation and approval of initial operator licensing examinations, or to oversee simulator and requalification training and examination programs.

7. Circumstances Which Justify Variation from OMB Guidelines

Procedures must be retained for the life of the facility license. Operators are licensed for 6 years and facility licensees must retain certifications and other data associated with operator licenses for inspection by the NRC to ensure operational safety at nuclear reactor facilities.

8. Consultations Outside the NRC

Opportunity for public comment on the information collection requirements for this clearance package was published in the *Federal Register* on November 20, 2012 (77 FR 69663). No comments were received.

The staff contacted training and management personnel at 3 power and 2 non-power facilities for their burden experiences in complying with 10 CFR Part 55 reporting and recordkeeping requirements.

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of Information

Confidential and proprietary information is protected in accordance with NRC regulations at 10 CFR 9.17(a) and 10 CFR 2.390(b).

11. Justification for Sensitive Questions

The NRC uses the information from the NRC Form 396 for determining that the applicant or operator licensee'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 and the NRC Form 398 for determining that the applicants or operator licensees meet the non-medical qualification requirements to become a licensed reactor operator or a senior reactor operator. The Commission bases its findings upon the certifications by facility licensees as detailed on these forms.

12. Industry Burden and Burden Hour Cost

The annual reporting and recordkeeping burdens summarized below are detailed in Tables 1 and 2.

Total burden hours are: 165,900 (132,226 reporting + 33,674 recordkeeping).
recordkeeping)

Total burden cost: \$45,456,600 (\$36,229,924 reporting + \$9,226,676 recordkeeping)

Total respondents and recordkeepers: 101 (70 Power Sites + 31 Non-power Sites)

13. Estimate of Additional Industry Costs

NRC has determined that the storage and equipment costs per square foot are approximately \$45. The quantity of records to be maintained is proportional to the recordkeeping burden. Based on the number of pages maintained for a typical

clearance, the records storage cost has been determined to be equal to 0.04 percent of the recordkeeping burden cost. The storage cost for this clearance is \$3,690.67 (33,674 recordkeeping hours x \$274 per hour x .0004).

The annual cost to reproduce the examinations for initial operator licensing is estimated to be \$5,000 (50 licensee facilities x 1000 pages per examination x \$.10 per page).

Total Other Additional Costs are \$8,690.67 (\$3,690.67 + \$5,000).

14. Estimated Annualized Cost to the Federal Government

The annual burden and cost to the Federal Government is shown on Table 3. The total annual Federal Government burden is 16,010 hours and the total annual Federal Government cost is estimated to be \$4,386,740. This cost is fully recovered through the fee assessment to NRC licensees pursuant to 10 CFR 170 and/or 171.

15. Reasons for Change in Burden and Cost

The industry burden increased by 45,523 hours from 120,377 to 165,900 hours, and the industry costs increased by \$16,806,874 from \$28,649,726 to \$45,456,600. These changes are based on NRC and facility staff experiences and are specifically addressed below. The hourly rate has increased from \$238/hr. to \$274/hr.

Reporting Burden Increases:

55.11 – Burden per response increased by 15 hours from 40 to 55 hours based on averaged actual sites' experiences reported to the NRC.

55.40 (b) (1) and (3) –Burden per response increased by 500 hours from 2,000 to 2,500 hours based on averaged actual sites' experiences reported to the NRC.

55.59(c) – The number of power site respondents increased by 54 from 16 to 70 and the number of non-power site respondents increased by 31 from 0 to 31 to show the exact number of reporting sites and the number of hours increased by 16 from 0 to 16 for non-power sites. During the previous extension the number of power and non-power sites were inadvertently misstated and are being corrected with this extension.

Additional Industry costs increased because the cost of reproducing final examinations for each applicant increased by .05 from .05 to .10 per page. Storage and equipment costs increased because the number of recordkeeping hours increased by 5,305 hours from 28,369 to 33,674.

Reporting Burden Decreases:

The previously reported number of respondents was inadvertently calculated and is being corrected in this extension. The number of respondents has decreased by 142 from 243 to 101 (70 Power Sites + 31 Non-power Sites).

55.40(a) – Power site response burden decreased by 45 hours from 100 to 55 hours based on the actual increase in the use of electronic transfer of examination information and materials.

Recordkeeping Burden - Increases:

55.59(a)(2) – The burden increased for power sites by 58 hours from 100 to 158 hours, and for non-power sites the burden increased by 5 hours from 0 to 5 hours based on averaged actual sites' experiences reported to the NRC.

Industry Recordkeeping Burden - Decreases:

The number of recordkeepers decreased by 1 from 102 to 101 (70 power sites + 31 non-power sites) because 1 Non-power Site (University of Arizona) was decommissioned.

55.40(b)(2) – The burden hours per power site recordkeeper decreased by 84 hours from 100 to 16 hours because all affected licensees have completed the requirements and now perform maintenance.

16. Publication for Statistical Use

This information will not be published for statistical use.

17. Reason for Not Displaying the Expiration Date

The requirements are 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

There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Not applicable.

TABLE 1: ANNUAL INDUSTRY REPORTING REQUIREMENTS

Section	Number of Respondents	Responses Per Respondent	Total Number of Responses	Burden per Response	Total Burden Hours	Cost at \$274/Hour
55.11	2 Power Site	1	2	55	110	\$30,140
55.11	1 Non-power Site	1	1	55	55	\$15,070
55.31(b)	44 Power Sites	1	44	4	176	\$48,224
55.31(b)	6 Non-power Sites	1	6	4	24	\$6,576
55.40(a)	5 Power Sites	1	5	55	275	\$75,350
55.40(d)	25 Non-power Sites	1	25	5	125	\$34,250
55.40(b)(1) and (3)	45 Power Sites	1	45	2500	112,500	\$30,825,000
55.46(b)	0	0	0	0	0	\$0
55.53(g)	4 Power Sites	1	4	4	16	\$4,384
55.53(g)	1 Non-power Site	1	1	4	4	\$1,096
55.59(a)(2)(iii)	1 Power Site	1	1	100	100	\$27,400
55.59(a)(2)(iii)	1 Non-power Site	1	1	5	5	\$1,370
55.59(c)	70 Power Sites	1	70	262	18,340	\$5,025,160
55.59(c)	31 Non-power Sites	1	31	16	496	\$135,904
TOTAL REPORTING	101		236		132,226	\$36,229,924

TABLE 2: ANNUAL INDUSTRY RECORDKEEPING REQUIREMENTS

Section	Number of Recordkeepers	Burden Hours Per Recordkeeper	Total Burden Hours	Cost at \$274 / Hour
55.40(b)(2)	70 Power Sites	16	1120	\$306,880 135,300
55.40(b)(2)	31 Non-Power Sites	11	341	\$93,434
55.53(f)	70 Power Sites	2	140	\$38,360
55.53(f)	31 Non-power Sites	2	62	\$16,988
55.46(d)(1)	70 Power Sites	30 [d]	2,100	\$575,400
55.59(a)(2)	70 Power Sites	158	11,060	\$3,030,440
55.59(a)(2)	31 Non-power sites	5	155	\$42,470
55.59(c)(5)(i)	70 Power Sites	260	18,200	\$4,986,800
55.59(c)(5)(i)	31 Non-power Sites	16	496	\$135,904
TOTAL RECORDKEEPING			33,674	\$9,226,676

TOTAL BURDEN/COST FOR 10 CFR PART 55 (Tables 1 & 2)

Total Burden hours: 165,900 (132,226 reporting + 33,674 recordkeeping)

Total Cost: \$45,456,600 (\$36,229,924 reporting + \$9,226,676 recordkeeping)

Total Respondents and Recordkeepers: 101 (70 Power Sites +31 Non-Power Sites)

TABLE 3: ESTIMATE OF ANNUAL COST TO THE FEDERAL GOVERNMENT						
Section	Number of Reports/Records	Actions Per Facility	Reports/ Records Per Response	Hours Per Response	Burden Hours	Cost at \$274/ Hour
55.11	2 Power Sites	1	2	40	80	\$21,920
55.11	1 Non-Power Site	1	1	40	40	\$10,960
55.31(b)	44 Power Sites	1	44	1	44	\$12,056
55.31(b)	6 Non-power Sites	1	6	1	6	\$1,644
55.40(b)	45 Power Sites	1	45	130	5,850	\$1,602,900
55.40(c)	5 Power Sites	1	5	400	2,000	\$548,000
55.40(d)	25 Non-power Sites	1	25	200	5,000	\$1,370,000
55.53(g)	4 Power Sites	1	4	1	4	\$1,096
55.53(g)	1 Non-power Site	1	1	1	1	\$274
55.59(a)(2)(iii)	1 Power Site	1	1	160	160	\$43,840
55.59(a)(2)(iii)	1 Non-power Site	1	1	120	120	\$32,880
55.59(c)	70 Power Sites	1	70	32	2,240	\$613,760
55.59(c)	31 Non-Power Sites	1	31	15	465	\$127,410
Total Government Burden and Cost	236		236		16,010	\$4,386,740