

§ 55.6

U.S. Nuclear Regulatory Commission Headquarters in Washington, DC.

(ii) For all test and research reactor facilities located in Regions I, II, III, and IV, submissions must be made to the Director, Division of Licensee Performance and Quality Evaluation, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Attention: Operator Licensing Branch.

[52 FR 9460, Mar. 25, 1987, as amended at 53 FR 6139, Mar. 1, 1988; 53 FR 43421, Oct. 27, 1988; 55 FR 41335, Oct. 11, 1990; 59 FR 17466, Apr. 13, 1994; 61 FR 9902, Mar. 12, 1996]

§ 55.6 Interpretations.

Except as specifically authorized by the Commission in writing, no interpretation of the meaning of the regulations in this part by any officer or employee of the Commission other than a written interpretation by the General Counsel will be recognized to be binding upon the Commission.

§ 55.7 Additional requirements.

The Commission may, by rule, regulation, or order, impose upon any licensee such requirements, in addition to those established in the regulations in this part, as it deems appropriate or necessary to protect health and to minimize danger to life or property.

§ 55.8 Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act (44 U.S.C. 3501 et seq.). 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. OMB has approved the information collection requirements contained in this part under control number 3150-0018.

(b) The approved information collection requirements contained in this part appear in §§ 55.31, 55.45, 55.53, and 55.59.

(c) This part contains information collection requirements in addition to those approved under the control number specified in paragraph (a) of this

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section. These information collection requirements and the control numbers under which they are approved are as follows:

(1) In §§ 55.23, 55.25, 55.27, 55.31, NRC Form 396 is approved under control number 3150-0024.

(2) In §§ 55.31, 55.35, 55.47, and 55.57, NRC Form 398 is approved under control number 3150-0090.

(3) In § 55.45, NRC Form 474 is approved under control number 3150-0138.

(4) In §§ 55.40, 55.41, 55.43, 55.45, and 55.59, clearance is approved under control number 3150-0101.

[62 FR 52188, Oct. 6, 1997, as amended at 64 FR 19878, Apr. 23, 1999]

§ 55.9 Completeness and accuracy of information.

Information provided to the Commission by an applicant for a license or by a licensee or information required by statute or by the Commission's regulations, orders, or license conditions to be maintained by the applicant or the licensee shall be complete and accurate in all material respects.

[52 FR 49372, Dec. 31, 1987]

Subpart B—Exemptions

§ 55.11 Specific exemptions.

The Commission may, upon application by an interested person, or upon its own initiative, grant such exemptions from the requirements of the regulations in this part as it determines are authorized by law and will not endanger life or property and are otherwise in the public interest.

§ 55.13 General exemptions.

The regulations in this part do not require a license for an individual who—

(a) Under the direction and in the presence of a licensed operator or senior operator, manipulates the controls of—

(1) A research or training reactor as part of the individual's training as a student, or

(2) A facility as a part of the individual's training in a facility licensee's training program as approved by the Commission to qualify for an operator license under this part.

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(b) Under the direction and in the presence of a licensed senior operator, manipulates the controls of a facility to load or unload the fuel into, out of, or within the reactor vessel.

Subpart C—Medical Requirements

§ 55.21 Medical examination.

An applicant for a license shall have a medical examination by a physician. A licensee shall have a medical examination by a physician every two years. The physician shall determine that the applicant or licensee meets the requirements of § 55.33(a)(1).

§ 55.23 Certification.

To certify the medical fitness of the applicant, an authorized representative of the facility licensee shall complete and sign Form NRC-396, "Certification of Medical Examination by Facility Licensee," available from Records and Reports Management Branch, Division of Information Support Services, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

(a) Form NRC-396 must certify that a physician has conducted the medical examination of the applicant as required in § 55.21.

(b) When the certification requests a conditional license based on medical evidence, the medical evidence must be submitted on NRC Form 396 to the Commission and the Commission then makes a determination in accordance with § 55.33.

[52 FR 9460, Mar. 25, 1987, as amended at 53 FR 43421, Oct. 27, 1988]

§ 55.25 Incapacitation because of disability or illness.

If, during the term of the license, the licensee develops a permanent physical or mental condition that causes the licensee to fail to meet the requirements of § 55.21 of this part, the facility licensee shall notify the Commission, within 30 days of learning of the diagnosis, in accordance with § 50.74(c). For conditions for which a conditional license (as described in § 55.33(b) of this part) is requested, the facility licensee shall provide medical certification on

Form NRC 396 to the Commission (as described in § 55.23 of this part).

[60 FR 13617, Mar. 14, 1995]

§ 55.27 Documentation.

The facility licensee shall document and maintain the results of medical qualifications data, test results, and each operator's or senior operator's medical history for the current license period and provide the documentation to the Commission upon request. The facility licensee shall retain this documentation while an individual performs the functions of an operator or senior operator.

Subpart D—Applications

§ 55.31 How to apply.

(a) The applicant shall:

(1) Complete Form NRC-398, "Personal Qualification Statement—Licensee," available from Records and Reports Management Branch, Division of Information Support Services, U.S. Nuclear Regulatory Commission, Washington, DC 20555;

(2) File an original and two copies of Form NRC-398, together with the information required in paragraphs (a)(3), (4), (5) and (6) of this section, with the appropriate Regional Administrator;

(3) Submit a written request from an authorized representative of the facility licensee by which the applicant will be employed that the written examination and operating test be administered to the applicant;

(4) Provide evidence that the applicant has successfully completed the facility licensee's requirements to be licensed as an operator or senior operator and of the facility licensee's need for an operator or a senior operator to perform assigned duties. An authorized representative of the facility licensee shall certify this evidence on Form NRC-398. This certification must include details of the applicant's qualifications, and details on courses of instruction administered by the facility licensee, and describe the nature of the training received at the facility, and the startup and shutdown experience received. In lieu of these details, the Commission may accept certification that the applicant has successfully