

PROPOSED RULE 1955
(58 FR 29366)

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July 19, 1993

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Re: Indian Point Unit No. 2
Docket No. 50-247

Mr. Samuel J. Chilk
Secretary
US Nuclear Regulatory Commission
Washington, D.C. 20555
ATTENTION: Docketing and Service Branch

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SUBJECT: Notice of Proposed Rulemaking - Operators'
Licenses: 10 CFR Part 55, 58 FR 29366 (May 20,
1993)

Consolidated Edison Co. of New York Inc., as owner and operator of Indian Point Unit No. 2, welcomes this opportunity to provide comments on the proposed amendments to 10 CFR Part 55, Operators' Licenses. The proposed rule change would delete the requirement that the NRC administer a comprehensive requalification written examination and an operating test for each licensed operator during the term of the operator's 6-year license as a prerequisite for license renewal.

Consolidated Edison fully supports the Commission's proposal to terminate the NRC administered examination as a condition for license renewal under 10 CFR Part 55. Although the NRC's involvement has had a positive impact on the content and conduct of license requalification, utilities have proven their ability to develop and administer requalification exams that meet the requirements of 10 CFR 55.59 (A) (2) (i&ii).

We also agree that the proposed rule change will serve dual purposes: reducing the regulatory burden on licensees and improving operational safety at nuclear facilities. For example, increased operating crew continuity, afforded by this rule change, will improve operational safety. In the past, to accommodate the NRC administered requalification exam, operating crews were reconfigured by putting together individuals whose six years were about to end. This practice, performed only to facilitate the conduct of requalification exams, was not in the best interest of crew coordination and teamwork.

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One issue of concern with the proposed rule change is the requirement that licensees submit exams to the NRC 30 days prior to their administration. This new requirement would result in an additional administrative burden on the utilities, both in developing the exams within the required lead time as well as sending multiple weeks worth of exams to the NRC. Furthermore, this approach raises the following questions:

- o Does the NRC retain approval authority over utility examinations?
- o Can the NRC change utility examinations?
- o Can the utility change examinations after submittal?

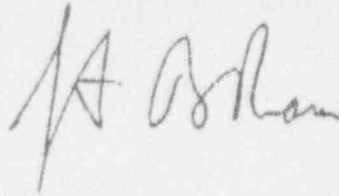
In addition, an NRC staff audit of the examinations will require reference material consisting of as many as 30 to 40 notebooks of lesson plans, procedures, Technical Specifications, etc. Utilities would have to provide the NRC staff with updates of this material for each exam. This would place a large burden on the utilities, as well as the NRC staff, and therefore seems inconsistent with the intent of the proposed rule change.

Alternatives to this approach would be:

- o Utilities submit their completed exam banks to the NRC every two years. This would allow the NRC to evaluate the exam banks for adequacy.
- o Utilities submit one exam to the NRC for review at the end of each requalification program as a sample. The sample would demonstrate the depth and breadth that all requalification exams exhibit. This approach is no different than the present, where the NRC is involved only in reviewing the exam they administer. Presently, this is only required every two years.
- o Utilities submit exams to the NRC after they have been administered. This would provide the NRC with the opportunity to audit the material for conformance to 10 CFR 55.59 (a) (2) (i&ii).

Any of these approaches would maintain the existing high quality of operator training programs while significantly reducing the burden on the utilities and the NRC staff. In conjunction with the NRC's onsite inspections, they would accomplish the important items targeted by the rule change. However, the procedural requirements set forth in the proposed notice of rulemaking would substantially burden licensees and remove many of the efficiencies which form the primary incentive for the rule change, without providing commensurate further assurance that requalification exams are being administered appropriately.

Very truly yours,



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