

September 28, 2001

COMMISSION VOTING RECORD

DECISION ITEM: SECY-01-0125

TITLE: FINAL RULEMAKING TO AMEND 10 CFR PT 55,
"OPERATORS' LICENSES," REGARDING
OPERATOR LICENSE ELIGIBILITY AND THE
USE OF SIMULATION FACILITIES IN
OPERATOR LICENSING; AND REVISION 3 OF
REGULATORY GUIDE 1.149, "NUCLEAR
POWER PLANT SIMULATION FACILITIES FOR
USE IN OPERATOR TRAINING AND LICENSE
EXAMINATIONS"

The Commission (with all Commissioners agreeing) approved the final rule as in the Affirmation Session Staff Requirements Memorandum (SRM) of September 28, 2001.

This Record contains a summary of voting on this matter together with the individual vote sheets, views and comments of the Commission.

Annette L. Vietti-Cook
Secretary of the Commission

Attachments:

1. Voting Summary
2. Commissioner Vote Sheets

cc: Chairman Meserve
 Commissioner Dicus
 Commissioner McGaffigan
 Commissioner Merrifield
 OGC
 EDO
 PDR

VOTING SUMMARY - SECY-01-0125

RECORDED VOTES

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIP	COMMENTS	DATE
CHRM. MESERVE	X				X	9/7/01
COMR. DICUS	X					8/23/01
COMR. McGAFFIGAN	X					8/23/01
COMR. MERRIFIELD	X				X	8/20/01

COMMENT RESOLUTION

In their vote sheets, all Commissioners approved the staff's recommendation and some provided additional comments. Subsequently, the comments of the Commission were incorporated into the final rule as reflected in the Affirmation Session SRM issued on September 28, 2001.

Commissioner Comments on SECY-01-0125

Chairman Meserve

I approve the staff's request to publish the final 10 CFR Part 55, "Operators' Licenses" rule. This final rulemaking provides a fine example of the agency's ability to increase overall plant safety, while at the same time reducing unnecessary regulatory burden. The rule change provides an increase in plant safety by eliminating the need to disrupt plant operations, while at the same time maintaining the level of training and experience required of licensed operator applicants. Unnecessary regulatory burdens are removed by deleting reporting requirements which add little regulatory value. Staff should be commended for its efforts.

I attach some additional changes to the Federal Register notice.

Commissioner Merrifield

I have carefully reviewed the final rule presented in SECY-01-0125 and am confident that it is consistent with the agency's strategic and performance goals, as well as with our safety mission. Thus, I approve the publication of the Federal Register notice that promulgates the final rule and commend the staff for their efforts associated with it.

I encourage the staff to reassess the draft press release and Congressional letters pertaining to the final rule. I do not believe that these documents clearly convey the NRC's basis for the rule change nor do they adequately discuss the rule change within the context of the NRC's extensive operator training and licensing requirements. I also do not believe that these documents adequately reflect the dramatic improvements that have occurred in simulator technology since 1987. I have attached some suggested changes to these documents for the staff's consideration.