

Licensed Operator Medical Requirements and Guidelines



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The Bottom Line

An operator's general health and medical condition must not...

- ... adversely affect the performance of assigned operator job duties ...
- ... or cause operational errors endangering public health and safety.

“Ancient” History

- 1956 - Part 55 created
 - Exams & reports every 2 years
 - Documented on Form AEC-396
 - Licensees report disability w/in 15 days
- 1963 - Part 55 rule change
 - Disqualifying conditions listed in the rule
 - License conditions may accommodate deficiency
- 1983 - KMC, Inc., petitioned to simplify the review of applicant medical status
- 1987 - Part 55, pretty much as we know it today

The 1987 Part 55 Rule Change

- ❑ Subpart C created
- ❑ RG 1.134 endorsed ANSI/ANS-3.4-1983, with exceptions
- ❑ When applicants (new or renewal) meet medical requirements, facility licensees will certify health on simplified Form 396
- ❑ Medical exams remain every 2 years, but license term stretched to 6 years
- ❑ Facility licensees must retain documentation
- ❑ All unusual cases must be presented to the Commission with evidence and recommendation
- ❑ Facility licensees must report disabilities within 30 days of learning diagnosis

“Modern” History

- 1991 - Part 55.53(j & k) added fitness-for-duty as a license condition
- 1998 - RG 1.134, Revision 3, endorsed ANSI/ANS-3.4-1996, with exceptions
- 2005 - NRC Form 396 revised during triennial OMB clearance update

NRC Form 396: Then and Now

- ❑ Pre-1987: “Certificate of Medical History”
- ❑ Post-1987: “Certification of Medical Examination by Facility Licensee”
- ❑ 2005 Revision
 - Added more common conditions, including “take medication as prescribed”
 - Response to enforcement action
 - Added instructions
 - No feedback during public comment period
 - Special reports not required; update conditions during next license renewal

Why “Take Your Medicine?”

- ❑ Many people (not just operators) stop taking their meds when they feel better or because of unpleasant side-effects
- ❑ NRC sensed that operators did not understand their responsibility regarding fitness for duty
- ❑ A Region II enforcement case highlighted the issue
- ❑ Lots of internal debate and disagreement
- ❑ No comments on the OMB clearance information collection or the Form 396 changes
- ❑ Generally, considered innocuous

Regulatory Requirements

- Part 55, Subpart C - Medical Requirements
 - 55.21 - Examinations
 - 55.23 - Certification
 - 55.25 - Incapacitation
 - 55.27 - Documentation
- 55.31(a)(6) & (c) - Provide certification & additional information
- 55.33(a)(1) & (b) - Disposition: health & conditional licenses
- 55.53(d), (g), (i), (j), & (k) - License conditions
- Pete will discuss many of these in more detail later during the enforcement session

Guidance Documents

- ❑ ANSI/ANS-3.4
- ❑ Regulatory Guide 1.134
 - Revision 1 endorsed 3.4-1976, w/ clarifications
 - Revision 2 endorsed 3.4-1983, w/o exceptions
 - Revision 3 endorsed 3.4-1996, w/ exceptions
 - All versions are in use
- ❑ ANSI/ANS-15.4-1988 (non-power reactors)
- ❑ NUREG-1021 (Examination Standards)
 - ES-202, Preparing Initial License Applications
 - ES-204, Eligibility Waivers
 - ES-605, Maintaining and Renewing Licenses
- ❑ NUREG-1262 (1987 Rule Questions 78 – 94)

Other Documents & References

- NRC Information Notices (INs)
 - IN 04-20, "Recent Issues Associated With NRC Medical Requirements for Licensed Operators;" November 24, 2004
 - IN 94-14, "Failure to Implement Requirements for Biennial Medical Examinations and Notification to the NRC of Changes in Licensed Operator Medical Conditions;" February 24, 1994, and its Supplement on April 14, 1997
 - IN 91-08, "Medical Examinations for Licensed Operators;" February 5, 1991

- NRC Operator Licensing Program Web Page
 - <http://www.nrc.gov/reactors/operator-licensing.html>
 - Links to all applicable INs
 - Link to OL Program Feedback Summary (Gen.19-28)
 - Link to "Contact Us About Operator Licensing"

Responsibilities: The Operator

- ❑ Be familiar with the applicable regulations and medical requirements
 - Part 55, "Operators' Licenses"
 - Part 26, "Fitness For Duty Programs"
 - ANSI/ANS-3.4
- ❑ Report changes in medical status to the facility licensee
- ❑ Comply with doctor's orders and license conditions
- ❑ Do not perform work when physically or mentally impaired

Responsibilities: The Doctor

- ❑ Be familiar with the physical and mental demands of the operators' job duties
- ❑ Evaluate the operators' mental and physical fitness for the job vis-à-vis the health requirements and disqualifying conditions outlined in ANSI/ANS-3.4
- ❑ Recommend restrictions, as appropriate, to compensate for disqualifying conditions
- ❑ Administer practical tests, as necessary, to demonstrate complete capacity to perform duties and justify a waiver of the requirement

Responsibilities: The Facility

To quote ANSI/ANS-3.4, Section 3.1 ...

“The primary responsibility for ensuring that on-duty personnel are medically and psychologically capable of fulfilling their duties rests with the facility licensee.”

Responsibilities: The Facility

- ❑ Ensure that the operators and doctor fulfill their responsibilities
- ❑ Report work performance, attendance, and behavioral changes to the physician prior to examinations
- ❑ Evaluate medical examination results and concur in doctor's recommendations
- ❑ Ensure that impaired operators are not permitted to stand watch without adequate compensation
- ❑ Certify applicants' health on Form 396, and include medical evidence to support any recommended conditions
- ❑ Report permanent physical or mental conditions that fail to meet ANSI/ANS requirements on Form 396 with medical evidence within 30 days
- ❑ Document and maintain medical records (for inspection)

Responsibilities: NRC

- ❑ Review and approve (or deny) license applications and restrictions
- ❑ Implement the inspection and enforcement programs to ensure that...
 - Facility medical programs comply with regulations and requirements
 - Operators comply with their license conditions/restrictions
- ❑ Adhere to principles of good regulation: independence, openness, efficiency, clarity, and reliability

Responsibilities: Industry

- ❑ Develop and maintain clear consensus standards
- ❑ Participate in the regulatory process (rulemaking, guidance development, OMB clearance / information collections)
- ❑ Support the Focus Group on Operator Licensing

Diagnosis / Prescription

- ❑ All the players need to fulfill their responsibilities for the system to work efficiently and effectively
- ❑ The industry's standards and the NRC's rules are not always as clear as they could be
- ❑ Clarity does not necessarily ensure compliance (Pete will discuss examples)
- ❑ If something is unclear, do not hesitate to seek clarification by...
 - Writing your questions down and handing them in
 - Calling your Regional OL contact
 - Clicking on "Contact Us About Operator Licensing"
- ❑ NRC examiners and Licensing Assistants are not medically qualified, so all specific medical questions are relayed to a consultant physician retained by the NRC to evaluate medical evidence and provide advice on medical conditions
- ❑ Watch the OL website for generic questions and answers

Review: The Bottom Line

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