its own initiative, grant such exemp-
tions from the requirements of the reg-
ulations in this part as it determines
are authorized by law and will not en-
danger life or property and are other-
wise 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 sen-
ior 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 individ-
ual’s training in a facility licensee’s
training program as approved by the
Commission to qualify for an operator
license under this part.
(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 exami-
nation by a physician every two years. The
physician shall determine that the
applicant or licensee meets the re-
quirements 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 NRC Form 396, “Certification of
Medical Examination by Facility Li-
censee,” which can be obtained by
writing the Office of Information Serv-
ces, U.S. Nuclear Regulatory Commiss-
ion, Washington, DC 20555–0001, by
calling (301) 415–7232, or by visiting the
NRC’s Web site at http://www.nrc.gov
and selecting forms from the index
found on the home page.
(a) Form NRC–396 must certify that a
physician has conducted the medical
examination of the applicant as re-
quired 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; 68 FR 58813, Oct. 19,
2003; 73 FR 30458, May 28, 2008]

§ 55.25 Incapacitation because of dis-
ability or illness.
If, during the term of the license, the
licensee develops a permanent physical
or mental condition that causes the li-
censee to fail to meet the requirements of
§ 55.21 of this part, the facility li-
censee shall notify the Commission,
within 30 days of learning of the diag-
nosis, in accordance with § 50.74(c). For
conditions for which a conditional li-
cense (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 docu-
mentation while an individual per-
forms the functions of an operator or
senior operator.

Subpart D—Applications

§ 55.31 How to apply.
(a) The applicant shall:
(1) Complete NRC Form 398, “Per-
sonal Qualification Statement—Li-
censee,” which can be obtained by
writing the Office of Information Serv-
cices, U.S. Nuclear Regulatory Commiss-
ion, Washington, DC 20555–0001, by
calling (301) 415–7232, or by visiting the
NRC’s Web site at http://www.nrc.gov
and selecting forms from the index
found on the home page;
(2) File an original of NRC Form 398,
together with the information required