§ 55.33 Disposition of an initial application.

(a) Requirements for the approval of an initial application. The Commission will approve an initial application for a license pursuant to the regulations in this part, if it finds that—

(1) Health. The applicant's medical condition and general health on Form NRC-396, to comply with §§55.21, 55.23 and 55.33(a)(1).

(b) The Commission may at any time after the application has been filed, and before the license has expired, require further information under oath or affirmation in order to enable it to determine whether to grant or deny the application or whether to revoke, modify, or suspend the license.

(c) An applicant whose application has been denied because of a medical condition or general health may submit a further medical report at any time as a supplement to the application.

(d) Each application and statement must contain complete and accurate disclosure as to all matters required to be disclosed. The applicant shall sign statements required by paragraphs (a) (1) and (2) of this section.


§ 55.33 Disposition of an initial application.

(a) Requirements for the approval of an initial application. The Commission will approve an initial application for a license pursuant to the regulations in this part, if it finds that—

(1) Health. The applicants medical condition and general health will not adversely affect the performance of assigned operator job duties or cause operational errors endangering public health and safety. The Commission will base its finding upon the certification by the facility licensee as detailed in §55.23.

(2) Written examination and operating test. The applicant has passed the requisite written examination and operating test in accordance with §§55.41 and 55.43 or 55.45. These examinations and tests determine whether the applicant for an operator's license has learned to operate a facility competently and safely, and additionally, in the case of a senior operator, whether the applicant has learned to direct the licensed activities of licensed operators competently and safely.
§ 55.40 Implementation.

(a) The Commission shall use the criteria in NUREG–1021, “Operator Licensing Examination Standards for Power Reactors,”¹ in effect six months before the examination date to prepare the written examinations required by §§55.41 and 55.43 and the operating tests required by §55.45. The Commission shall also use the criteria in NUREG–1021 to evaluate the written examinations and operating tests prepared by power reactor facility licensees pursuant to paragraph (b) of this section.

(b) Power reactor facility licensees may prepare, proctor, and grade the written examinations required by §§55.41 and 55.43 and may prepare the operating tests required by §55.45, subject to the following conditions:

1. Power reactor facility licensees shall prepare the required examinations and tests in accordance with the criteria in NUREG–1021 as described in paragraph (a) of this section;
2. Pursuant to §55.49, power reactor facility licensees shall establish, implement, and maintain procedures to control examination security and integrity;
3. An authorized representative of the power reactor facility licensee shall approve the required examinations and tests before they are submitted to the Commission for review and approval; and
4. Power reactor facility licensees must receive Commission approval of their proposed written examinations and operating tests.

(c) In lieu of paragraph (b) of this section and upon written request from a power reactor facility licensee pursuant to §55.31(a)(3), the Commission shall, for that facility licensee, prepare, proctor, and grade the written examinations required by §§55.41 and 55.43 and the operating tests required by §55.45. In addition, the Commission may exercise its discretion and reject a power reactor facility licensee’s determination to elect paragraph (b) of this section, in which case the Commission

¹Copies of NUREGs may be purchased from the Superintendent of Documents, U.S. Government Printing Office, P.O. Box 38082, Washington, DC 20062. Copies are also available from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161. A copy is available for inspection and/or copying in the NRC Public Document Room, One White Flint North, 11555 Rockville Pike (0–1F23), Rockville, MD.