

## Nuclear Regulatory Commission

## § 55.31

its own initiative, grant such exemptions from the requirements of the regulations in this part as it determines are authorized by law and will not endanger life or property and are otherwise 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 senior 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 individual'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 examination by a physician every two years. The physician shall determine that the applicant or licensee meets the requirements 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 Licensee," which can be obtained by writing the Office of Information Services, U.S. Nuclear Regulatory Commission, 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 required 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. 10, 2003; 73 FR 30458, May 28, 2008]

### § 55.25 Incapacitation because of disability or illness.

If, during the term of the license, the licensee develops a permanent physical or mental condition that causes the licensee to fail to meet the requirements of § 55.21 of this part, the facility licensee shall notify the Commission, within 30 days of learning of the diagnosis, in accordance with § 50.74(c). For conditions for which a conditional license (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 documentation while an individual performs 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, "Personal Qualification Statement—Licensee," which can be obtained by writing the Office of Information Services, U.S. Nuclear Regulatory Commission, 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