

Section 28

DRAFT SUPPORTING STATEMENT FOR PERIODIC UPDATE OF THE FINAL SAFETY ANALYSIS REPORT (FSAR)

10 CFR 50.71(e) and 50.71(f)

DESCRIPTION OF THE INFORMATION COLLECTION

Section 50.71(e) and (f) require each licensee of a nuclear power reactor to update periodically the Final Safety Analysis Report (FSAR) originally submitted as part of the application for the operating license, to assure that the information included in the FSAR contains the latest material developed. Section 50.71(e) is applicable to power reactors licensed to operate. Section 50.71(f) states that provisions of this section apply to power reactor licensees that have submitted the certification of permanent cessation of operations required under 50.82(a)(1)(i). This submittal must contain all the changes necessary to reflect information and analyses submitted to the Commission by the licensee or prepared by the licensee pursuant to the Commission since the submission of the original FSAR or the last updated FSAR. The updated FSAR must be revised to include the effects of all changes made in the facility or procedures as described in the FSAR, all safety evaluations performed by the licensee either in support of requested license amendments or in support of conclusions that changes did not involve an unreviewed safety question, and all analyses of new safety issues.

Section 50.71(e)(1) requires licensees to submit revisions containing the updated FSAR information on a replacement-page basis, accompanied by a list which identifies the current pages of the FSAR following page replacement.

Section 50.71(e)(2) requires that FSAR update submittals include a certification by a duly authorized official of the licensee that either the information accurately presents changes made since the previous submittal, necessary to reflect information and analyses submitted to or required by the Commission, or that no such changes were made; and an identification of changes made under the provisions of 10 CFR 50.59 but not previously submitted to the Commission.

Section 50.71(e)(3) requires a revision of the original FSAR containing those original pages that are still applicable plus new replacement pages to be filed with 24 months of either July 22, 1980, or the date of issuance of the operating license, whichever is later, and shall bring the FSAR up to date as of a maximum of 6 months prior to the date of filing the revision.

Section 50.71(e)(4) requires the filing of revisions annually or 6 months after each refueling outage provided the interval between successive updates to the FSAR does not exceed 24 months. The revisions must reflect all changes up to a maximum of 6 months prior to the date of filing. For nuclear power reactor facilities that have submitted 50.82(a)(1) certifications, subsequent revisions must be filed every 24 months.

Section 50.71(e)(5) requires each replacement page to include both a change indicator for the area changed, e.g., a bold line vertically drawn in the margin adjacent to the portion actually

changed, and a page change identification (date of change or change number or both).

Section 50.71(e)(6) requires licensees to retain the updated FSAR until termination of the license.

A. JUSTIFICATION

1. Need for and Practical Utility of the Collection of Information

The volume of written information in the docket files of operating power reactors is large and is increasing at a rapid rate. By the time a power reactor has been in operation for a few years, much of the information in the original FSAR has been modified, supplemented or superseded. This comes about by the applicant's submittal of designs and analyses supporting requested license amendments or technical specification changes, replies to regulatory requests, incident reports, and reports describing design and procedural changes. Consequently, without an updated FSAR, it would be difficult for anyone, including an NRC staff member, the licensee, or the public to be certain of the current status of a facility's design and supporting analyses.

To properly execute their respective responsibilities, the NRC staff and the licensee must work with accurate information. The updated FSAR is a reference document used in recurring safety analyses performed by the licensee, the Commission, and other interested parties. Thus, it is essential that supplements and amendments to the original information be appropriately incorporated into the original FSAR to create a single, complete and integral document. This document serves as the baseline for future changes.

In general, it is not difficult to identify correct information for newly licensed facilities, but it would become a problem in a few years without this update requirement. In addition, as new staff members and licensee employees are assigned to plants with extensive licensing history and are involved in analyses and decisions affecting facility operation, the possibility of error and risk to the public would increase without an accurate, updated reference document.

Paragraph 50.30(a)(3) of 10 CFR Part 50 recognizes the update need by requiring that the applicant for a construction permit update its application, which includes the Preliminary Safety Analysis Report, to eliminate superseded information and provide an index of the updated application when an Atomic Safety and Licensing Board is appointed prior to public hearing. If an operating license hearing is held, the application must be updated at that time. After the operating license is issued, various sections of Part 50 (Section 50.59, for example) require that additional safety analyses be performed for individual facility changes that affect facility safety. The present regulations reflected in 10 CFR 50.71(e) require that such changes be incorporated into the FSAR.

All changes to the technical specifications are treated as license amendments and it is appropriate to have an updated FSAR available at all times. Additionally, safety evaluations after operation of the facility has been initiated, required by proposed license amendments, technical specification changes and other reasons,

warrant at least the same supporting documentation as does the hearing process.

2. Agency Use of Information

In addition to the needs discussed above, updated FSARs are used for a variety of other reasons such as:

- a. To evaluate proposed changes, tests or experiments made pursuant to 10 CFR 50.59 and to determine the existence of unreviewed safety questions.
- b. To supply adverse operating experience to current safety reviews.
- c. For operator training by licensees.
- d. For project manager training and orientation.
- e. A reference document for management and by safety review committees.
- f. By NRR and regional inspectors to assist in their facility inspections to ensure that licensees are maintaining the basis upon which their plants are licensed.
- g. By licensing examiners to prepare exams for facility operators.
- h. In planning emergency responses.
- i. To evaluate operating data by NRC technical reviewers.

The NRC staff utilizes the updated information supplied by licensees in response to the reporting required by 10 CFR 50.71(e) as a primary reference source to be employed during the numerous safety studies undertaken by licensees, the Commission, and other interested parties.

3. Reduction of Burden Through Information Technology

There is no legal obstacle to the use of information technology. Moreover, NRC encourages its use; however, at the current time, no responses are submitted electronically.

4. Effort to Identify Duplication and Use Similar Information

This information is not required by any other Federal regulations. The Information Requirements Control Automated System (IRCAS) was searched, and no duplication was found.

The nuclear power reactor licensees are the only source for this information.

5. Effort to Reduce Small Business Burden

This information collection only involves licensees of nuclear power reactors and, therefore, does not affect small business.

6. Consequences to Federal Program or Policy Activities if the Collection is Not Conducted or is Conducted Less Frequently

If the collection is not conducted or is conducted less frequently, NRC staff members and licensee employees would not have a single, organized up-to-date reference document for the plant. The NRC would be unable to effectively carry out its regulatory responsibilities.

7. Circumstances Which Justify Variation from OMB Guidelines

The updated FSAR must be retained until the operating license is terminated because, in order for the NRC to ensure the health and safety of the public at all times, the staff must be certain of the current status of a facility's design and supporting analysis.

The original and 10 copies are distributed to NRC's File Center, Headquarters and local Public Document Rooms, the Advisory Committee on Reactor Safeguards (ACRS), consultants and various technical review and licensing staff members. These entities need copies of the voluminous updated volumes so that the official agency file unit, the public, staff members, consultants, and the ACRS can also be certain of current plant status.

8. Consultations Outside the NRC

Notice of opportunity for public comment on this information collections has been published in the Federal Register.

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of Information

Proprietary or confidential information is handled in accordance with 10 CFR 2.790 of the NRC's regulation.

11. Justification for Sensitive Questions

This information collection does not require sensitive information.

12. Estimated Industry Burden and Burden Hour Cost

Since the updates for operating nuclear power reactors may be submitted annually or 6 months after each refueling outage, approximately 69 of 104 licensees will be affected by this reporting requirement annually. The average burden per licensee for the updating is estimated to be 1,000 hours. Therefore, the annual burden for licensees of operating plants is 69,000 hours.

Since updates for nuclear power reactors that have ceased operation must be filed every 24 months, approximately 9.5 of 19 licensees will be affected by this reporting requirement annually. The average burden per licensee of these reactor facilities is estimated to be 250 hours. Therefore, the annual burden for licensees of permanently shutdown plants is 2,375 hours.

The total estimated burden to licensees is expected to be 71,375 hours (69,000 + 2,375 hours) at a cost of \$10,063,875 (71,375 hours x \$141).

13. Estimate of Other Additional Costs

None.

14. Estimated Annualized Cost to the Federal Government

The NRC anticipates that approximately 5 staff hours will be involved annually in the handling and document control/filing systems of the updated FSAR for operating nuclear power reactors. Thus, annual estimated cost to the Federal Government for these facilities is expected to be \$48,645 (5 staff hrs x 69 plants = 345 staff hours; \$141/hr x 345 staff hours = \$48,645). The estimated Federal burden for permanently shutdown reactors is 1.25 staff hours per plant. The annual estimated cost for these facilities is thus \$1,674 (1.25 hours x 9.5 plants = 11.9 hours; \$141/hr x 11.9 = \$1,674). The total annual cost to the Federal government is therefore \$50,319 (\$48,645 + \$1,674). This cost is fully recoverable through fee assessments to the licensees pursuant to 10 CFR Parts 170 and/or 171.

15. Reasons for Changes in Burden or Cost

The burden decreased slightly from 72,750 to 71,375 hours. This is a result of there being fewer operating plants and more plants undergoing decommissioning.

16. Publication for Statistical Use

The information is not published for statistical purposes.

17. Reason for Not Displaying the Expiration Date

The requirement is contained in a regulation. Amending the Code of Federal Regulations to display information that, in an annual publication, could become obsolete would be unduly burdensome and too difficult to keep current.

18. Exceptions to the Certification Statement

None.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Not applicable.