

October 13, 2000

NOTE TO: Dennis Allison, RGEB:DRIP

FROM: Debbie McCain **/RA/**
Information Management Coordinator, PMAS

SUBJECT: OMB CLEARANCE EXTENSION FOR NRC FORM 366, 366A, AND 366B,
"LICENSEE EVENT REPORT - (TAC M40163)

The Office of the Chief Information Officer (OCIO) recently requested our review and update of information collection requirements for the subject clearance which expires June 30, 2001. This long lead time is necessary to ensure adequate time for NRC internal review, solicitation of public comments, and OMB review and clearance prior to the OMB clearance expiration date.

The Paperwork Reduction Act of 1995 established new requirements: two Federal Register Notices must now be published. The first notice allows the public 60 days to comment on our intention to seek OMB approval for a renewal of the information collection. The second notice is published for a 30-day comment period at the time of the submittal to OMB.

In order to meet the deadline for submission of the first notice (60-day notice) to OCIO, I need your review and update of the attached Draft Supporting Statement by **December 1, 2000**. It is extremely important that we meet this date.

If we receive comments as a result of our 60-day notice, we will have to address them in our final supporting statement. But we won't worry about that now.

All estimates for this information collection should be for the 3-year period from July 1, 2001 - June 30, 2004. The hourly cost is \$141/hr for reactor licensees. Thanks for your help. Please call 415-1219 if you need assistance.

Attachments:
As stated

cc w/o attachments:
D. Matthews
C. Carpenter
J. Tappert

U. S. NUCLEAR REGULATORY COMMISSION

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: U. S. Nuclear Regulatory Commission (NRC)

ACTION: Notice of pending NRC action to submit an information collection request to OMB and solicitation of public comment.

SUMMARY: The NRC is preparing a submittal to OMB for review of continued approval of information collections under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

Information pertaining to the requirement to be submitted:

1. The title of the information collection: NRC FORMS 366, 366A, and 366B, "Licensee Event Report"
2. Current OMB approval number: 3150-0104
3. How often the collection is required: On occasion
4. Who is required or asked to report: Holders of Operating Licenses for

Commercial Nuclear Power Plants

5. The number of annual respondents: _____
6. The number of hours needed annually to complete the requirement or request: _____
7. Abstract: NRC collects reports of operational events at commercial nuclear power plants in order to incorporate lessons of that experience in the licensing process and to feed back the lessons of that experience to the nuclear industry.

Submit, by (insert date 60 days after publication in the Federal Register), comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?
2. Is the burden estimate accurate?
3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?
4. How can the burden of the information collection be minimized, including

the use of automated collection techniques or other forms of information technology?

A copy of the draft supporting statement may be viewed free of charge at the NRC Public Document Room, 2120 L Street, NW (lower level), Washington, DC. OMB clearance requests are available at the NRC worldwide web site (<http://www.nrc.gov/NRC/PUBLIC/OMB/index.html>). The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions about the information collection requirements may be directed to the NRC Clearance Officer, Brenda Jo. Shelton, U.S. Nuclear Regulatory Commission, T-6 E6, Washington, DC 20555-0001, by telephone at 301-415-7233, or by Internet electronic mail at BJS1@NRC.GOV.

Dated at Rockville, Maryland, this _____ day of _____ 2000.

For the Nuclear Regulatory Commission.

Brenda Jo. Shelton, NRC Clearance Officer
Office of the Chief Information Officer

ACCESSION NUMBER: ML003759578 (PACKAGE)

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DRAFT SUPPORTING STATEMENT
FOR
NRC FORMS 366, 366A, and 366B, "LICENSEE EVENT REPORT"
10 CFR 50.73

(OMB Clearance No. 3150-0104)
Revision/Extension

Description of the Information Collection

Nuclear power plant Licensees are required to report operational events having safety significance at commercial nuclear power plants on NRC Form 366, "Licensee Event Report (LER)."

A. JUSTIFICATION

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

The accident at Three Mile Island (TMI) in March 1979 focused attention on the importance of an effective understanding and feedback of operating experience of nuclear power plants. Studies of the TMI accident (e.g., Rogovin, Kemeny) emphasized the importance of collecting and evaluating operational experience.

Operational experience feedback is required to meet the NRC's statutory requirements for regulating the nuclear industry. Events of the type described in 10 CFR 50.73 are reported as Licensee Event Reports (LERs) on the NRC Forms 366 366A, and 366B. Examples of such events are shutdowns required by the Technical Specifications (TS), deviations from the TS, and events resulting in the plant being in a degraded condition, or an external event which poses a threat to plant safety. The Licensee is required to indicate the applicable section/paragraph of 10 CFR 50.73 pursuant to which the event is being reported, or if the LER is a special report or a voluntary report.

Effective January 1, 1984, it became mandatory that all U.S. nuclear power plant licensees holding operating Licenses under Sections 103 and 104b of the Atomic Energy Act of 1954, as amended, submit LERs for events reportable under the provision of 10 CFR 50.73, regardless of the plant conditions.

On September 10, 1992 the agency published a minor rule change that became effective October 13, 1992 which exempted from reporting certain types of events, primarily those involving invalid actuations of a limited set of engineered safety features (ESFs). Such events included the invalid actuation/isolation or realignment of the following ESFs: the reactor water clean-up system, the control room emergency ventilation systems, the reactor building ventilation system, the fuel building ventilation system, and the auxiliary building ventilation system or the equivalent ventilation systems. Also excluded from reporting were invalid ESF actuations that occurred either after the safety function had already been completed or when the system was properly removed from service. These types of events have little or no safety significance and do not contribute significantly to an understanding of reactor operational safety. The removal of these event reporting requirements has not adversely affected the agency's

ability to carry out its mission to protect the public health and safety.

2. Agency Use of Information

The reported events are assessed both individually and collectively to determine their safety significance and their generic implications and to identify any safety concerns with the potential to seriously impact the public health and/or safety. The evaluation of these events provides valuable insights on improving reactor safety.

The information required includes detailed event descriptions, plant conditions at the onset of the events, root cause(s) of the occurrences, an assessment of safety consequences and implications, data on operator actions and personnel errors, and the corrective actions taken by the Licensee to prevent recurrences.

The timely assessment and feedback of operating experience is a vital and integral prerequisite to improving reactor safety. Within the NRC, a formal and systematic program has been established for the collection, assessment, and feedback of operational experience gained from the LERs. This program has proven effective and resulted in an improved understanding of reactor performance, timely identification of important safety issues, and timely initiation of corrective or remedial actions such as issuing generic letters, revising license requirements, and issuing bulletins requiring licensee action and information notices. Initiation of action may be immediate, as in the case of an event generating an inspection, or over a long period of time, where analysis of LER trends may indicate a possible generic issue to be implemented.

In addition, formal and informal methods have been developed to couple the NRC's program with the industry's programs where a strong NRC and nuclear industry commitment exists to assess the safety significance and generic implications of operating events. Continued cooperation between the NRC Office for Analysis and Evaluation of Operational Data (AEOD) and the industry Institute of Nuclear Power Operations (INPO) is indicative of that commitment, as are the NRC's allocation of extensive resources and assignment of high priority to the analysis and feedback of operational data as a matter of Agency policy. NRC's commitment is further expanded in a global sense by participation in bilateral agreements with various countries, the Nuclear Energy Agency (NEA) and the International Atomic Energy Agency (IAEA) Incident Reporting System (IRS). Both the NEA and IAEA are committed to developing and implementing programs to collect and share worldwide reactor operating experience. Major progress has been made over the years in international data collection, storage, and dissemination of nuclear experience. The NEA/IAEA IRS has been operational for a number of years and event analysis reports are being provided to participating countries. The U.S. continues to be a major supporter and contributor to the IRS. The international organizations are provided with information on the U.S. experience by the NRC from utility-supplied LERs, LER databases, and NRC reports (e.g., technical studies and generic communications). The worldwide sharing of nuclear operating experience has proven valuable, particularly for accident prevention.

Elimination of data collection would seriously degrade the NRC's ability to assess operating experience and to feed back the lessons learned in a timely manner, including corrective actions to prevent recurrences.

3. Reduction of Burden Through Information Technology

The electronic transfer of information between the industry and the NRC is under review by a joint NRC/Industry Electronic Information Exchange task force. Both the NRC and industry representatives are supporting this effort. Currently, the event reports are not collected electronically from the Licensees.

Upon receipt by the NRC, LERs are entered into the agency's NUDOCS database and subsequently electronically transferred to the Oak Ridge National Laboratory for input into the Sequence Coding Search System (SCSS) operational experience database. After entry into the NUDOCS database they are also made available for electronic retrieval by INPO.

4. Efforts to Identify Duplication and Use Similar Information

In the rulemaking process for 10 CFR 50.73, the staff reviewed numerous other NRC reporting requirements [e.g., 10 CFR Part 20, Part 21, Paragraph 50.55(e), and Section 73.71] and attempted, to the extent practical, to eliminate redundant reporting and to ensure that the various reporting requirements are consistent. The LER form allows reporting under most of these requirements, and all applicable requirements may be addressed on the one LER form. The Information Requirements Control Automated System was searched for duplication, and none was found.

No similar fully inclusive information is available. In the rulemaking process for 10 CFR 50.73, the NRC gave extensive consideration to the relationship between LER reporting, other NRC reporting requirements, and the Nuclear Plant Reliability Data System (NPRDS). The NPRDS component database was maintained by INPO on a voluntary basis following a commitment during the LER rulemaking process from the U.S. industry in 1981 to fully implement the system. The NRC believes that both component failure and other types of operating experience data are essential to the NRC mission. The Equipment Performance and Information Exchange (EPIX) system is replacing NPRDS. EPIX consists of selected component data which pertains to maintenance and reliability issues of interest to the industry, while the LER database consists of a variety of occurrences of interest to the NRC. 10 CFR 50.73 was also structured to eliminate duplication of reporting of operating experience to the NRC.

5. Effort to Reduce Small Business Burden

Not applicable.

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

Less frequent data collection would, in general, degrade the NRC's ability to assess operating experience and feed back the lessons learned in a timely manner, including corrective actions to prevent recurrences.

7. Circumstances Which Justify Variation from OMB Guidelines

N/A.

8. Consultations Outside the NRC.

Notice of opportunity for public comment on NRC Forms 366, 366A, and 366B has been published in the Federal Register.

On _____ the agency published a rule change that became effective _____ which..... All comments received were considered in the preparation of the final rule.

9. Payment of Gift to Respondents

Not Applicable

10. Confidentiality of Information

NRC provides no pledge of confidentiality for this collection of information.

11. Justification for Sensitive Questions

No sensitive information is requested.

12. Estimated Burden and Burden Hour Cost

In *1996, 109 operating nuclear power plants submitted approximately 1600 LERs; i.e., total responses. It is estimated that each LER requires approximately 50 hours to prepare. Therefore, the total burden associated with the 1600 responses is approximately 80,000 hours. LERs are required to be submitted as the events occur. How often the LERs are submitted varies among the Licensees of 109 operating nuclear power plants, dependent on the frequency of events. The annual monetary cost associated with 80,000 hours at \$131 per hour is approximately \$11M.

*Dennis: In 1999 there were 105 reactors.

13. Estimate of other Additional costs

Not applicable

14. Estimated Annualized Cost to the Federal Government

Typically, many NRC staff members (headquarters, regional, and resident inspectors) are involved in providing additional guidance in imposing 10 CFR 50.73 (i.e., responding to Licensee inquiries).

Tasks performed include but are not limited to: review of reporting practices, review of plant operating history and Licensee practices, and evaluation of the adequacy of the existing rule. An estimated 2,100 hours per year are spent on all these tasks combined. At \$131 per hour, this amounts to approximately \$275K. No contractor effort is currently involved for imposing the requirement. Total monetary cost for imposing the requirement is \$275K.

Nearly 26 staff-years involving occasional to full-time effort of 250 NRC personnel are expended in LER review and direct follow up actions each year. The efforts include event analysis, inspection, enforcement, feedback to the industry and the world nuclear community, and possible reassessment of the regulatory requirements. The number of hours required for the LER review and subsequent direct follow up actions are estimated to be 60,000 hours. Cost for each staff hour is \$131, the annual cost for staff efforts is $60,000 \times 131 = \$8\text{M}$. Program support cost, contractor cost, etc., is about \$3M. Total monetary cost of products of information collection is \$11M.

The total Federal government cost from all information collection, storage, processing, support activities, including contractor effort and follow up actions is $\$11\text{M} + \$275\text{K} = \$11.3\text{M}$.

This cost is fully recovered through fee assessments to NRC Licensees pursuant to 10 CFR Parts 170 and/or 171.

15. Reasons for Change in Burden or Cost

An increased rate of receipt of LERs was experienced in 1996 and the first part of 1997 to the projected burden estimate of 1600 LERs per year. Licensees during this period have submitted approximately 100 more LERs each year associated with their initial design basis that have necessitated increased NRC attention.

16. Publication for Statistical Use

Not applicable.

17. Reason for Not Displaying the Expiration Date

The expiration date is displayed

18. Exceptions to the Certification Statement

Not applicable

B. Collection of Information Employing Statistical Methods

The collection of information does not employ statistical methods.