July 24, 2003

Mr. Alan P. Nelson
Senior Project Manager
Nuclear Energy Institute
1776 I Street, NW, Suite 400
Washington, DC 20006

SUBJECT: NUCLEAR ENERGY INSTITUTE INTERNATIONAL NUCLEAR EVENT SCALE RECOMMENDATIONS, MAY 2003 AND JULY 2003

Dear Mr. Nelson:

By letters dated May 29, 2003, and July 3, 2003, the Nuclear Energy Institute (NEI) provided recommendations to the Nuclear Regulatory Commission (NRC) staff regarding the NRC's participation in the International Nuclear Event Scale (INES). The INES was developed jointly by the International Atomic Energy Agency (IAEA) and the Nuclear Energy Agency of the Organization for Economic Co-operation and Development, to facilitate communication and understanding between the nuclear community, the media, and the public, on the safety significance of events occurring at nuclear installations. A public meeting regarding your May 29, 2003 letter was held on June 25, 2003, and was attended by representatives of NEI, the NRC staff, and the IAEA. A summary of the public meeting has been placed into ADAMS (ML032020147).

Comments and recommendations included in your letter of May 29, 2003 were addressed at the public meeting; however, I would like to take this opportunity to summarize the staff's response to these comments and recommendations. You had raised a concern that an NRC licensee could be negatively impacted if the staff were to issue an INES report without providing the licensee with an opportunity for review and comment on the report. The NRC agrees that it is important to keep licensees aware of staff activities which might impact them. As stated at the meeting, NRC and the industry seek accurate reporting of events and appropriate updates as conditions and information change. The staff expects to interact with licensees, where appropriate, during the development of INES reports.

You also provided a comment that the staff's two business day reporting goal for INES reports is too short and is inconsistent with other rating systems. The actual INES reporting goal, as described in the *INES User's Manual*, is 24 hours. The staff adopted a two business day goal in order to provide an opportunity to gather additional information regarding the event and to coordinate with affected licensees. The INES was developed to be a communications tool and, as such, the staff believes that timely dissemination of information is very important.

With respect to the technical information provided during the meeting and in your letter of July 3, 2003, I believe that, during our meeting, Mr. Dominique Delattre of the IAEA successfully resolved your concerns regarding the potential to overrate an event involving minor fuel cladding failure. You identified that percentage fuel melt or percentage of core inventory released are not parameters that can be measured. INES significance levels for on-site criteria are based on these parameters. You also identified that in the standard practice of measuring reactor coolant activity, that "fuel gap inventory" could be mistaken for "core inventory" and result in overrating minor fuel degradation. I assure you that the NRC staff possesses a clear understanding of the rating criteria and terminology, as described in the *INES User's Manual,* with regard to core damage events.

The INES User's Manual encourages clarification of the scale within the national context. The staff will review your comments for possible clarification in domestic use of the INES User's Manual and will provide a copy of your letters of May 29, 2003 and July 3, 2003 to Mr. Delattre, the INES Coordinator at the IAEA. At his discretion, he may provide this information to the INES National Officers for their review and consideration. I look forward to future dialog between the NRC staff and NEI regarding further development and refinement of the INES.

Sincerely,

/RA/

Richard H. Wessman, Director
Division of Incident Response Operations
Office of Nuclear Security and Incident Response

INES National Officer for the United States

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