



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-4005**

May 8, 2006

Tim Hope, RUG IV Chairman
4200 South Hulen Drive
Suite 630
Fort Worth, Texas 76109

Subject: IMPLEMENTATION OF NUREG 1022 REVISION 2 GUIDANCE REGARDING THE REPORTABILITY OF LOSS OF SHUTDOWN COOLING

Dear Mr. Hope:

Thank you for your letter, dated February 28, 2006. In your letter, you referenced NRC Inspection Report 05000397/2005004 for the Columbia Generating Station, which documented the closure of Unresolved Item (URI) 50-397/04-04-07 related to the reportability of loss of shutdown cooling events under 10 CFR 50.73(a)(2)(v)(B). Your letter also indicated that the closure of this URI stated that two events determined by Columbia Generating Station as not reportable in accordance with the Reporting Guidelines of NUREG-1022, Revision 2, "Event Reporting Guidelines 10 CFR 50.72 and 50.73," were in fact considered reportable as a loss of safety function in accordance with the reporting guidance and as safety system functional failures (SSFFs) within the Reactor Oversight Process performance indicator (PI) protocol. The report also stated that the NRC concluded that the licensee had misinterpreted the requirements of 10 CFR 50.73(a)(2)(v)(B) and the guidance provided in NUREG-1022, Revision 2.

In your letter, you stated that the Regional Utility Group (RUG) IV members' position on this topic from a generic standpoint is that RUG IV does not believe that the specific instances cited in the inspection report constitute a reportable loss of safety function under 10 CFR 50.73(a)(2)(v)(B). You also stated that, in submitting this position, RUG IV wanted to convey that its primary concern and focus is on consistency in regulatory implementation by the licensees and the consistency of NRC enforcement of the regulatory guidance. You indicated that, regardless of the final position taken on this issue, providing additional clarifying guidance in NUREG-1022 on this subject should be considered by the NRC.

While we believe that your letter provided no information beyond that which was already considered by the staff in addressing this issue in the subject inspection report, the NRC currently plans to review and evaluate NUREG-1022 in Fiscal Year 2007 to determine whether additional clarification is needed with respect to this and other reporting issues. As part of this process, the NRC plans to obtain stakeholder input.

Tim Hope

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Thank you for providing your feedback. Should you have any questions regarding our response, please contact Mr. Claude Johnson at 817-860-8148.

Sincerely,

/RA/

Arthur T. Howell III, Director
Division of Reactor Projects

cc:

B. Mallett, RIV
T. Gwynn, RIV
Z. Dunham, RIV
P. Hiland, NRR
R. Laura, NRR
S. O'Conner, OEDO

Tim Hope

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bcc:

L. Owen (RAI 06-166 input)

SUNSI Review Completed: CEJ ADAMS: / Yes No Initials: CEJ
/ Publicly Available Non-Publicly Available Sensitive / Non-Sensitive

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RIV:C:DRP/A	DD:DRP	NRR	D:DRP	RC
CEJohnson;mjs;dlf	AVegel	RALaura	ATHowell III	KDFuller
<i>/RA/</i>	<i>/RA/</i>	E-CEJohnson	<i>/RA/</i>	<i>/RA/</i>
4/27/06	5/1/06	4/27/06	5/1/06	5/2/06
D:DRP sign				
ATHowell III				
<i>/RA/</i>				
5/8/06				

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