

1. Cross Cutting Issues

A. Define <i>DISCOVERY</i> as used in reporting requirements. Some situations appear to provide immediate discovery while some require a determination before discovery can be made.		
B. Clarify the use of “qualified”/“cognizant” as used relative to <i>discovery</i> and determination of reportable events. Some situations are immediately evident to anyone; however, some require the use of other skilled or specially trained people.		
C. Better define “event” and “condition”		
D. Provide clarification as to what constitutes failure of a “70.61 performance criteria” Particular attention should be given to 70.61 (d) which is out of context with (b) & (c) and does not define a particular performance/event situation.		

2. 1 Hour Reporting Issues

A. Appx. A, (a) (2) should be consistent with 70.61 (b) (3) which applies the requirement only to those outside the controlled area.		
B. Appx. A, (a) (3) should be clarified to clearly denote that this refers to an actual intake/exposure and not a potential for an intake/exposure under some conditions that did not actually occur, i.e. exceeding a concentration does not equate to an actual intake/exposure unless the intake/exposure occurred. In addition there needs to be a clear parallel in the reporting guidance to the words in 70.61 (b) (4) with respect to the differences in (i) and (ii).		
C. Regarding Appx. A, (a) (4) – Must the IROFS be explicit to the subject scenario or could they be IROFS documented in the ISA but associated with another scenario in the ISA? There are some mixed opinions but the general tendency is to say they do not have to be directly tied as long as they are identified and maintained as IROFS. Need clarity.		

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<p>D. During calibrations and routine maintenance (licensed management measures) situations are found where IROFS may not be functioning precisely to the correct performance level. This should be clarified as a situation that does not fall under the reporting requirements of Appx. A, (a) (5) and does not require reporting. Wording/guidance similar to NUREG 1022, Section 3.2.2 should be incorporated.</p>		
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3. 24 Hour Reporting Issues

<p>A. Appx. A (b) (1) includes a statement “and with the failure to meet the performance requirements of 70.61”. It seems that the NRC is only applying the first part of the sentence and requiring that any one of those conditions require reporting without the conditional “and” statement being applied. The reasoning needs to be understood and possibly clarified.</p> <p>In addition, while reporting situations mentioned in Appx. A (b) (1) might rise to the level of significance of reporting in 24 hours. They more likely meet a significance of 30 days and intermediate consequence situations should only be corrected and reported during the annual update. These clarifications and reductions in burden should be considered.</p> <p>AICHe guidance indicates that it is unrealistic to document every possible accident scenario; however, it is reasonable for a licensee to have considered adequate and comprehensive scenarios such that accidents are generally bounded. Licensees speak of “bounding scenarios”. The guidance for this reporting requirement needs to factor in the guidance from AICHe and recognize the use of “bounding scenarios”. The term bounding scenarios should be</p>		
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defined/described in the guidance.		
B. Appx. A (b) (5) needs to be clarified to apply only “when the performance requirements of 70.61 are no longer met”.		
C. Appx. A (b) (5) (ii) – This appears to be redundant to (b) (1). If this is the case it should be removed. If it is not redundant then guidance needs to be developed to indicate the difference and what is intended.		
D. Appx. A (b) (3) – 70.61 (c) (4) (i) and this requirement are directly related. 70.61 (c) (4) (i) uses wording such as “irreversible, or other serious, long lasting health effects”. These are qualitative words that do not have universal definition and are open to numerous interpretations, therefore some clarification is needed to make sure reporting takes place correctly. Or should we develop a definition of “mild transient health effects” and use this definition as a demarcation boundary		
<p>E. Appx. A (b) (4) appears to be redundant to 70.50 (b) (2) and Appx. A (b) (2). If this is the case it should be revised. If this is not the case then guidance is needed to clarify why it is different and what exactly is intended.</p> <p>In addition the requirement uses the phrase “or may have affected the intended safety function or availability or reliability of one or more items relied on for safety”. This statement should be removed because it is problematic in compliance space. It either has or has not affected and these hypothetical statements are confusing in regulatory space.</p>		

4. Concurrent Reporting Issues

A. Appx. A (c) Industry basically agrees with this and supports it as “good practice”. The concern is that this can be carried too extreme without some additional guidance. It should apply to the licensed operations in terms of a compliance measurement.		
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<p>Many of the sites have any number of reporting requirements. For example the site sanitary sewer may have required reporting requirements that relate to the operation of the sewage treatment. These are far removed from the nuclear operations.</p> <p>Other sites may have multiple operations on the same site, some of which are indirectly related to their nuclear business but some that are totally independent of the nuclear business. These businesses may be required to make reports and reporting them to the NRC does not appear appropriate for a number of reasons.</p> <p>Supporting guidance is needed to make it clear the boundaries of required/compliance determining concurrent reporting that is required. Licensees obviously can be encouraged to be open with communications that may be mutually beneficial and in general that has been the industry practice.</p>		