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RECORD #101

TITLE: Clarification of 10 CFR 50.72 to Maine Yankee

FICHE: 67133-246

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

JAN 13 1984

MEMORANDUM FOR: Thomas E. Murley, Regional Administrator
Region I

FROM: Edward L. Jordan, Director
Division of Emergency Preparedness
and Engineering Response
Office of Inspection and Enforcement

SUBJECT: CLARIFICATION OF 10 CFR 50.72 TO MAINE YANKEE

Mr. Bob Nelson of the Yankee organization called January 4, 1984 requesting clarification of the intent of Paragraph (b)(2)(vi) related to notifications required by the State of Maine for all radioactive releases. I noted that "inadvertent" releases of radioactive material were stated in the rule as an example which would require a 4 hour notification, irrespective of magnitude if a news release or notification to other government agencies is made. I advised Mr. Nelson that the 50.72 4 hour notification was not for "routine" releases although they may be required to be reported to the State. I further explained that a "routine" release which subsequently received media attention should be reported to the NRC. The referenced paragraph is as follows:

> "(vi) Any event or situation, related to the health and safety of the public or onsite personnel, or protection of the environment, for which a news release is planned or notification to other government agencies has been or will be made. Such an event may include an onsite fatality or inadvertent release of radioactively contaminated materials."

The key statement is "...event or situation related to the health and safety...." Where a state or other government entity has a requirement or agreement with an NRC licensee for routine reporting of other matters, the NRC only requires a report when that matter gets escalated to a "news release" of a "situation."

In order to assure consistency with the revised 50.72 which became effective January 1, 1984 IE:HQ will document all referred questions on the rule for subsequent incorporation in the IE Manual or in the NUREG on the new rules for reporting.

Edward L. Jordan, Director
Division of Emergency Preparedness
and Engineering Response
Office of Inspection and Enforcement

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