

# NUREG-1022 Rev. 3

## Overview

- Significant change from existing guidance and current practices
- Regulatory Analysis is not sufficient in some areas and does not fully justify NUREG changes
- Some changes focus NRC and Industry resources on non-safety significant items
- Draft NUREG results in the potential of providing misleading information to the public
- Detailed review and comments are ongoing

# Primary Concerns

## Items

- Loss of Safety Function
- Systems within Scope
- Applicability of 50.72
- Loss of Safety Functions of Trains or Channels in Different Systems
- 10 CFR Part 21
- Shutdown Required by T.S.

# Loss of Safety Function

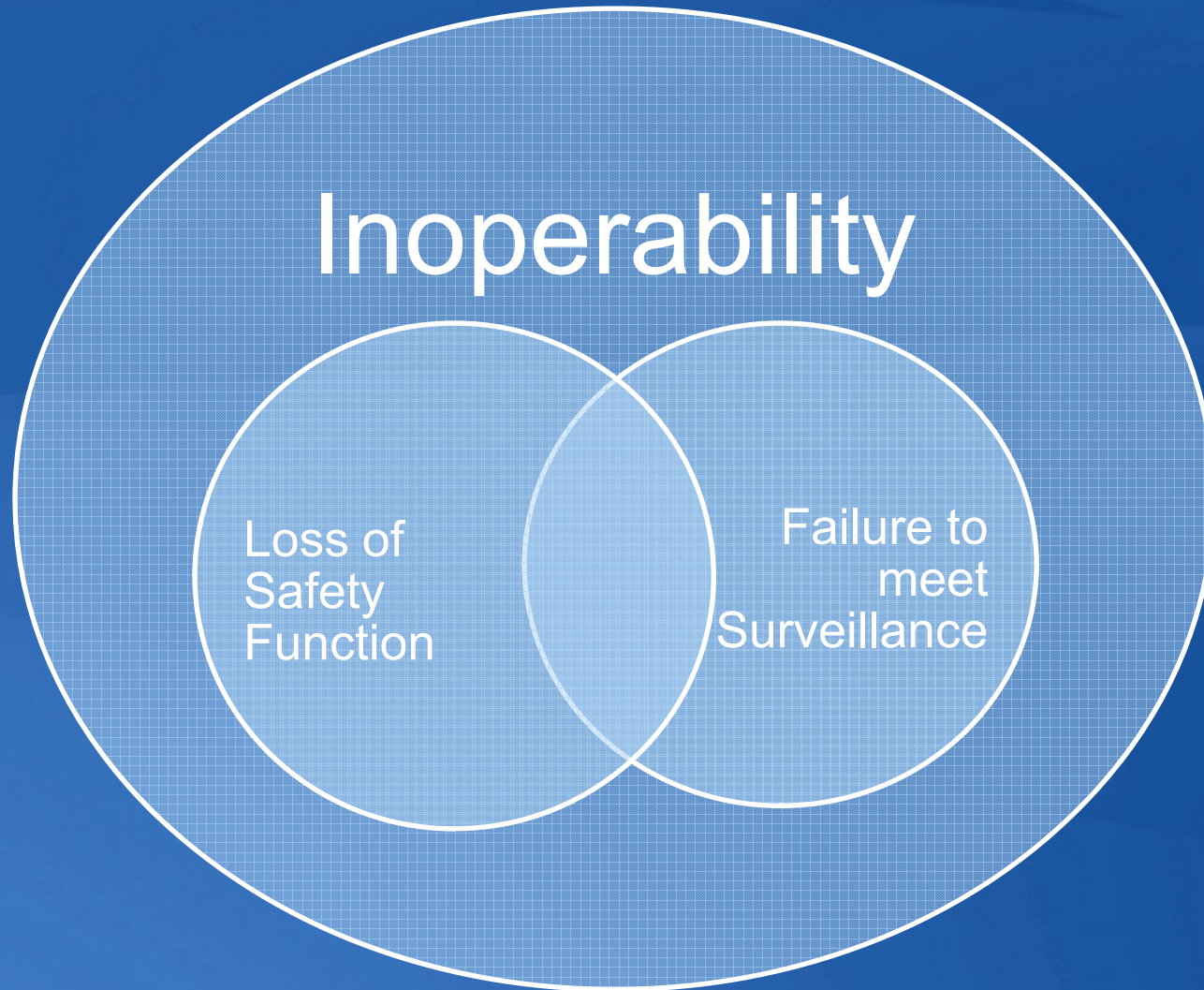
## Issues

- Loss of Safety Function results in Inoperability
- Inoperability does not necessarily result in a Loss of Safety Function
- Operable previously added to the Regulation to describe a condition that is not reportable
- Deleted additional random single failure without explanation

## Examples

- Admin T.S. Inoperabilities
- Conservative T.S. Requirements

# Loss of Safety Function (cont.)



# Loss of Safety Function (cont.)

## Resolution

- Retain discussion on not assuming additional random single failures
- Retain distinction between operability and loss of safety function
- Continue to focus reporting on the inability to perform accident analysis assumptions
- Add clarification regarding applicability of operator manual actions to meet the specified safety function

# Systems within Scope

## Items

- Draft requires reporting of failures of systems with no safety function as a loss of safety function
- Systems within scope should be only those systems credited in the accident analysis
- Regulatory Analysis does not discuss impact on all affected systems
- Proposed change is unclear concerning systems within scope

# Systems within Scope (cont.)

48FR33850 (July 26, 1983) - Statements of Consideration for “Licensee Event Report System” makes it clear that the original scope of this reporting rule (eventually renumbered as 10 CFR 50.73(a)(2)(v)) was identical to the previous rule (commonly referred to as “ESF Actuations”)

The applicability of this paragraph includes those safety systems designed to mitigate the consequences of an accident (e.g., containment isolation, emergency filtration). Hence, minor operational events involving a specific component such as valve packing leaks, which could be considered a lack of control of radioactive material, should not be reported under this paragraph. System leaks or other similar events may, however, be reportable under other paragraphs.

...

This paragraph is also based on the assumption that safety-related systems and structures are intended to mitigate the consequences of an accident. While 50.73(a)(2)(iv) of this final rule applies to actual actuations of an ESF, 50.73(a)(2)(v) of this final rule covers an event or condition where redundant structures, components, or trains of a safety system could have failed to perform their intended function because of one or more personnel errors, including procedure violations; equipment failures: or design, analysis, fabrication, construction, or procedural deficiencies.

# Systems within Scope (cont.)

## Examples

- Post-Accident Monitoring
- Remote Shutdown
- Appendix R

## Resolution

- Retain NUREG focus on prevention of fulfillment of the safety function of SSCs that are needed to perform the safety function (A-D)
- Clarify NUREG to focus on design basis accident analysis that are needed to perform the safety function



# Applicability of Part 50.72

## Items

- Current guidance uses tense to define immediate notification requirements (50.72)
- Draft guidance implies immediate reporting of conditions that did not exist at the time of discovery
- Requires additional control room attention to focus on non-safety significant items
- May result in public misinformation

## Examples

- Identification of events not-ongoing at the time of discovery

# Applicability of Part 50.72 (cont.)

## Resolution

- Retain current 50.72 words
- Add explicit discussion concerning the 50.72 notification under each reporting requirement
- Add discussion in Regulatory Analysis on the impact of additional control room attention to focus on non-safety significant items

# Loss of Safety Functions of Trains or Channels in Different Systems

## Items

- Deviates from the Rule by adding in the discussion of Operability (which is not within the Rule itself)
- Deviates by deleting the existing guidance of fulfillment of the safety function

## Examples

- Examples under Operability and Scope apply

# Loss of Safety Functions of Trains or Channels in Different Systems (cont.)

## Resolution

- Retain discussion on prevention of fulfillment of a safety function
- Retain scope focus on ability to perform functions in the accident analysis
- Add change impact in regulatory analysis

# 10 CFR Part 21

## Items

- Change eliminates the guidance to check the “other” box and write-in “Part 21” when reporting, implying conflicts with IN 2011-19, Sept. 26, 2011
- Part 21 Rule that allows evaluation and reporting under Part 50.72/50.73 and this should be included in the guidance
- Change causes uncertainty regarding Part 21 and Part 50.72/50.73 relationship

## Examples

- Licensees may not mark other and indicate “Part 21” – not clear reporting

# 10 CFR Part 21 (cont.)

## Resolution

- Keep existing Part 21 discussion
- Add a box for Part 21 on LER form to clarify reporting
- Elimination of Part 21 discussion results in the elimination of helpful guidance to be consistent with IN 2011-19

# Shutdowns Required by T.S.

## Items

- Change from “not reportable” to “reportable” without any impact analysis in the regulatory analysis (Section 3.2.1, item 3, first bullet)

## Examples

- See NUREG example 3

## Resolution

- Resolve discrepancy. Either changing a “no” to a “yes” is a change that requires an impact analysis in the regulatory analysis or it is an error and should be corrected back to the original wording

# Summary

- Changes are not clearly justified in the Regulatory Analysis
- Deletions will reduce clarity (Part 21, SSFF)
- Draft guidance will result in non-significant items being reported thereby needlessly diverting NRC and Industry resources
- Current Draft would require extensive change management plan prior to implementation
- Regulatory Analysis significantly underestimates regulatory burden because it does not bound proposed changes and uses non-conservative assumptions