

## REGULATORY ANALYSIS

### EVENT REPORTING GUIDELINES FOR 10 CFR 50.72 and 10 CFR 50.73

#### Statement of the Problem

NUREG-1022, Revision 2, "Event Reporting Guidelines: 10 CFR 50.72 and 50.73," issued October 2000, contains guidelines that the staff of the U.S. Nuclear Regulatory Commission (NRC) considers acceptable for use in meeting the reporting requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) 50.72, "Immediate Notification Requirements for Operating Nuclear Power Reactors," and 10 CFR 50.73, "Licensee Event Report System." Some of the guidance in NUREG-1022 is unclear and, therefore, can potentially result in events or conditions not being reported to the NRC under 10 CFR 50.72 and 10 CFR 50.73.

#### Objective

The objective of this regulatory action is to update NRC guidance and provide applicants with a method to demonstrate compliance with the requirements for event reporting in 10 CFR 50.72 and 50.73.

#### Alternative Approaches

The NRC staff considered the following alternative approaches:

- Do not revise NUREG-1022.
- Revise NUREG-1022.

##### Alternative 1: Do Not Revise NUREG-1022

Under this alternative, the NRC would not revise this document, and applicants would continue to use NUREG-1022, Revision 2. However, this alternative would cause conflicting guidance to remain in effect and could cause unnecessary confusion. This alternative is considered to be the baseline or "no action" alternative and, as such, involves no value or impact considerations.

##### Alternative 2: Revise NUREG-1022

Under this alternative, the NRC would revise NUREG-1022, taking into consideration the 10 CFR 50.72 and 50.73 rule itself, the associated Federal Register notices (FRNs), and existing and historic NUREG-1022 guidance. For areas of significant stakeholder interest, the staff's basis for changes can be found in Appendices A through G to "Discussion of Changes Associated with Draft NUREG-1022, Revision 3" (Agencywide Documents and Management System (ADAMS) Accession No. ML12216A185).

The benefit of this action is that it would ensure that significant events are reported for which NRC action may be needed to maintain or improve reactor safety or to respond to heightened public concern. None of these changes is considered to conflict with the actual wording found in 10 CFR 50.72 and 50.73.

All changes are based on aligning the NUREG-1022 guidance with staff positions found in the FRNs (48 FR 33850 published on July 26, 1983, 48 FR 39039 published on August 29, 1983, and 65 FR 63769 published on October 25, 2000). The impact to the NRC would be the costs associated with preparing and issuing the revision to NUREG-1022. The impact to stakeholders should be minimal because the regulatory requirements of 10 CFR 50.72 and 10 CFR 50.73 and staff positions found in the FRNs have not changed. The existing guidance is unclear, and reference to the rule and its associated FRNs is typically required.

### **Conclusion**

The NRC intends to issue this revision to NUREG-1022 to change guidance associated with 10 CFR 50.72 and 50.73 reporting requirements. The staff has concluded that providing revised guidance can assure that significant events are reported for which NRC action may be needed to maintain or improve reactor safety or to respond to heightened public concern. None of the changes are considered to conflict with the actual wording found in 10 CFR 50.72 and 50.73. The staff considers these benefits to outweigh the expected impacts to stakeholders.