

Letter #	Int / Ext	Source	ADAMS	Location in Comment	Topic	Comment	Agree / Disagree	Basis / Discussion / Recommendation
6	External	Progress Energy	ML11350A109	N/A	Administrative	Example 1 in Section 3.2.13, "Loss of Emergency Preparedness Capabilities" contains a grammatical error.	Agree	Will revise to correct grammatical error.
6	External	Progress Energy	ML11350A109	N/A	Administrative	Example 10 in Section 3.2.7 references the wrong reporting criteria.	Agree	Will revise to reference correct criteria.
12	External	South Texas Project (STP) Nuclear Operating Company	ML12005A210	N/A	Degraded and Unanalyzed Conditions	The term "significantly degrades /degraded plant safety" contained in the reportability criteria of 50.72(b)(3)(ii) and 50.73(a)(2)(ii)(B) is not defined. Providing a definition for this term in the NUREG-1022 guidance would aid licensees in providing consistent reporting of events or conditions with safety significance. Significantly degraded plant safety means a condition that degrades a fission product barrier or design limit to such an extent that when considering actual plant conditions, the safety analysis acceptance limits in the UFSAR would not be met. Single failure and loss of offsite power as required by the UFSAR should be considered in the evaluation.	Partial Agreement	The FRNs associated with the rule and NUREG-1022 all contain specific examples of what constitutes a "Degraded or Unanalyzed Condition" (see NUREG-1022, Revision 2 (pages 39-41)). These discussions come directly out of the FRNs for the rule). All of these examples are clear with the exception of one aspect of Unanalyzed Conditions which require reports for events in which equipment loss is due to functionally related components or if it significantly compromises plant safety. There were initial attempts to clarify this statement as part of the NUREG-1022 revision effort, however it was determined that there may be little benefit in trying to calrify the statement given the resources that may be involved or that significant events are likely to be reported under other criteria. If there is a desire to clarify this statement, recommend issuing the NUREG as is and working with stakeholders after. With reagrds to having to actually be in a condition to be reportable, many of the examples indicate that an event is reportable if the condition would result in not meeting an FSAR analysis (even if the analyzed scenario is not actually currently taking place). For example, there are reports required for serious steam generator tube degradation
N/A	Internal	Region III	N/A	N/A	Degraded and Unanalyzed Conditions	It is unclear if compensatory measures can be considered when evaluating if an unanalyzed condition exists. Please provide discussion or examples.	Partial Agreement	Compensatory measures are not considered when evaluating if an unanalyzed condition exists. There have been a few cases that were resolved via enforcement actions. Given that issue is not widespread, it may be too late in the process to consider new action items for disposition that would warrant stakeholder involvement. Recommend continuing to handle via enforcement action and consider more generic approaches later if issue becomes more widespread.
1	External	Nuclear Energy Institute (NEI)	ML11342A057 ML11353A269	Attachment 2 Discussion 5	Deletion of Part 21 Reporting Guidance	Deletion of Section 5.1.8, "10 CFR Part 21 Reports," will result in no guidance being available for defect reporting. Do not delete the section.	Agree	Recommend reinstating Section 5.1.8, "10 CFR Part 21 Reports," in the absence of any other staff guidance.
1	External	Nuclear Energy Institute (NEI)	ML11342A057 ML11353A269	Attachment 2 Discussion 5	Deletion of Part 21 Reporting Guidance	Regulatory analysis is inadequate in that none was presented.	Do Not Agree	Regulatory analysis was not required since no change in position occurred with deletion of Section 5.1.8, "10 CFR Part 21 Reports." Page 13 of "Discussion of NUREG-1022 Changes" (ML11068A030) contains statement to that effect. Upon publication of draft RIS on Part 21, stakeholders should indicate if there is a belief that a Regulatory Analysis is needed.
4	External	Regional Utility Group IV	ML11350A1132	N/A	Deletion of Part 21 Reporting Guidance	Section 5.1.8, "10 CFR Part 21 Reports." Removal of the guidance regarding 10 CFR 21 reporting reduces clarity and will likely create confusion and duplicate evaluations and reporting. The revision appears to be unnecessary, since Part 21.2(c) already refers reporting of installed parts to 10 CFR 50.72 and 50.73, creating the expectation that Part 21 defect reporting would be identified in NUREG 1022.	Agree	Recommend reinstating Section 5.1.8, "10 CFR Part 21 Reports," in the absence of any other staff guidance.
7	External	South Carolina Electric & Gas	ML11353A408	N/A	Deletion of Part 21 Reporting Guidance	Based on 10 CFR 21.2(c), NUREG 1022 should include guidance on making part 21 notifications and reports.	Agree	Recommend reinstating Section 5.1.8, "10 CFR Part 21 Reports," in the absence of any other staff guidance.

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9	External	FirstEnergy Nuclear Operating Company (FENOC)	ML11353A410	N/A	Deletion of Part 21 Reporting Guidance	Section 5.1.8, "10 CFR Part 21 Reports", has been deleted in its entirety. This section provided guidance consistent with the regulations and supporting statements of consideration. The proposed deletion of this section will create a vacuum of guidance. Reporting and evaluation under 10 CFR 50.72 and 10 CFR 50.73 bounds the criteria used to evaluate items under 10 CFR 21. The industry believes the reporting requirements under 10 CFR 50.72 and 10 CFR 50.73 are comparable to 10 CFR 21 as discussed in the Federal Register associated with the 1991 Rule change. If NRC believes that there may be conditions reportable under 10 CFR 21 and not 10 CFR 50.72 and 10 CFR 50.73 for installed components, then a clear discussion with examples highlighting those conditions is needed so that industry and NRC both clearly understand where any potential discrepancies exist.	Agree	Recommend reinstating Section 5.1.8, "10 CFR Part 21 Reports," in the absence of any other staff guidance.
13	External	Strategic Teaming and Resource Sharing (STARS) alliance	ML12006A205	N/A	Deletion of Part 21 Reporting Guidance	The proposed NUREG-1022 draft deleted the entire section on Part 21 reporting. This will make NUREG- 1022 inconsistent with NRC supporting statements accompanying the 1991 revision of Part 21. The Part 21 Rule explicitly allows reporting under 50.72/50.73 so deleting guidance for Part 21 in NUREG- 1022 will sever an important and intended relationship between the two rules.	Agree	Recommend reinstating Section 5.1.8, "10 CFR Part 21 Reports," in the absence of any other staff guidance.
14	External	Southern Company	ML12023A039	N/A	Deletion of Part 21 Reporting Guidance	Revision 3 removed any reference to Part 21. This is a departure from the industry interpretation, i.e. that if an item is installed in the plant, it's not evaluated under the part 21 criteria. This will result in a significant increase in Part 21 issues.	Agree	Recommend reinstating Section 5.1.8, "10 CFR Part 21 Reports," in the absence of any other staff guidance.
1	External	Nuclear Energy Institute (NEI)	ML11342A057 ML11353A269	Attachment 1	General	Section 4.1, "Emergency Notification System," refers to tapes that are saved for one month in case there is a public or private inquiry. This section should be update to credit modern technology or reflect any different methods NRC may be using.	Agree	Section will be updated.
2	External	Florida Power and Light Company (FPL) & NextEra Energy	ML11343A027	N/A	General	Endorses NEI comments.	N/A	NRC acknowledges endorsement of NEI comments.
3	External	PSEG Nuclear LLC	ML11347A428	N/A	General	Endorses NEI comments.	N/A	NRC acknowledges endorsement of NEI comments.
4	External	Regional Utility Group IV	ML11350A1132	N/A	General	Endorses NEI comments.	N/A	NRC acknowledges endorsement of NEI comments.
5	External	Tennessee Valley Authority (TVA)	ML11350A108	N/A	General	Endorses NEI comments.	N/A	NRC acknowledges endorsement of NEI comments.
6	External	Progress Energy	ML11350A109	N/A	General	Endorses NEI comments.	N/A	NRC acknowledges endorsement of NEI comments.
8	External	Regional Utility Group I	ML11353A409	N/A	General	Endorses NEI comments.	N/A	NRC acknowledges endorsement of NEI comments.
9	External	FirstEnergy Nuclear Operating Company (FENOC)	ML11353A410	N/A	General	Endorses NEI comments.	N/A	NRC acknowledges endorsement of NEI comments.
10	External	Entergy	ML11353A411	N/A	General	Endorses NEI comments.	N/A	NRC acknowledges endorsement of NEI comments.
12	External	South Texas Project (STP) Nuclear Operating Company	ML12005A210	N/A	General	Endorses NEI comments.	N/A	NRC acknowledges endorsement of NEI comments.
13	External	Strategic Teaming and Resource Sharing (STARS) alliance	ML12006A205	N/A	General	Endorses NEI comments.	N/A	NRC acknowledges endorsement of NEI comments.
13	External	Strategic Teaming and Resource Sharing (STARS) alliance	ML12006A205	N/A	General	The Regulatory Analysis associated with the proposed changes is flawed in that it significantly underestimates the regulatory burden associated with the changes.	Partial Agreement	With regards to systems within scope of "Events or Conditions that could have Prevented Fulfillment of a Safety Function," the Regulatory Analysis made an attempt as to what the impact will be, however it will not fully be known until the draft position is implemented. Recommend revising position to be consistent with FRN of rule. For many positions, regulatory analysis was not required, but performed to document why clarification was made given industry difference of opinion. Recommend leaving regulatory analysis as is or deleting discussion in regulatory analysis. "Discussion of NUREG-1022 Changes" contains adequate background for why changes are clarifications vice changes in position.
14	External	Southern Company	ML12023A039	N/A	General	Endorses NEI comments.	N/A	NRC acknowledges endorsement of NEI comments.
N/A	Internal	HOO	N/A	7 & 8	General	Add a web page reference to form 361 in NUREG-1022	Agree	Will add web page reference to form 361.

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N/A	Internal	HOO	N/A	1	General	Basis for the revision is stated on page v as "Revision 3 to NUREG-1022 revises the event reporting guidelines to incorporate revisions to the guidelines for the purposes of clarification." - I believe this purpose statement needs clarification.	Agree	Will provide more details as to why revision was warranted.
N/A	Internal	Region IV	N/A	N/A	General	Overall, corrective maintenance to SSCs should be explicitly stated to not be a valid technical basis for not making a licensee event report. This should be included in sections 3.2.2, 3.2.4, 3.2.7, and 3.2.8.	Do Not Agree	Corrective maintenance are not factors for consideration in reporting under Section 3.2.2, "Operation or Condition Prohibited by Technical Specifications," and Section 3.2.4, "Degraded or Unanalyzed Condition." There have not been any known issues with regards to this concept and no issues were raised during NUREG-1022 development. Additional language at this point in the process might require additional stakeholder inputs and unnecessary resource utilization. If issues were to develop, they could be handled through enforcement action. With regards to Section 3.2.7, "Event or Condition that Could Have Prevented Fulfillment of a Safety Function," and Section 3.2.8, "Common Cause Inoperability of Independent Trains or Channels," the FRN and the current NUREG-1022 are very clear in that planned maintenance activities are not reportable. Any changes would be considered a change in staff position that may warrant Commission interactions.
1	External	Nuclear Energy Institute (NEI)	ML11342A057 ML11353A269	Attachment 1	General Comments: Section 3.2.14, "Single Cause that Could Have Prevented Fulfillment of the Safety Functions of Trains or Channels in Different Systems"	See Attachment 2, Discussion 3.	Do Not Agree	Appendix D & G of "Discussion of NUREG-1022 Changes" (ML11068A030) contains background information. For systems within scope, the inadvertent TS inoperability in a required mode of applicability constitutes an event or condition for which there is no longer a reasonable expectation that equipment can fulfill its safety function. This is not considered a new staff position in that the position is already documented and not considered to be in conflict with either the rule or the FRN.
1	External	Nuclear Energy Institute (NEI)	ML11342A057 ML11353A269	Attachment 1	General Comments: Section 5.2, "Licensee Event Reports"	This section should be update to credit modern technology.	Agree	NRC will work with stakeholders to revise.
1	External	Nuclear Energy Institute (NEI)	ML11342A057 ML11353A269	Attachment 2 Discussion 1	Historical Reporting Under 50.72	Based on wording in rule (i.e. use of present tense in each specific 50.72 reporting criteria & 50.72(b)(3)(v)), is an NRC change in position (i.e. historic events not on-going at time of discovery should not be reportable under 50.72).	Do Not Agree	Appendix A of "Discussion of NUREG-1022 Changes" (ML11068A030) contains basis. 50.72(a)(1)(ii) contains specific requirements which are further discussed in the FRN and ACRS briefings. Focusing on the reporting of historical "Degraded or Unanalyzed Conditions" may alleviate concerns.
1	External	Nuclear Energy Institute (NEI)	ML11342A057 ML11353A269	Attachment 2 Discussion 1	Historical Reporting Under 50.72	Recommend a rule change to not require historic reporting of Degraded or Unanalyzed Conditions.	Partial Agreement	Consideration can be given to future rulemaking in 10 CFR 50.72 & 50.73.
1	External	Nuclear Energy Institute (NEI)	ML11342A057 ML11353A269	Attachment 2 Discussion 1	Historical Reporting Under 50.72	Regulatory analysis is inadequate in that it does not address the tense issues and it does not provide any discussion of potential impact or burden imposed by this change.	Do Not Agree	Appendix A of "Discussion of NUREG-1022 Changes" (ML11068A030) contains basis for why no change exists. 50.72(a)(1)(ii) contains specific requirements which are further discussed in the FRN and ACRS briefings. Regulatory analysis was not required, but performed to document why clarification was made given industry difference of opinion. Recommend leaving regulatory analysis as is or deleting discussion in regulatory analysis. "Discussion of NUREG-1022 Changes" contains adequate background for why changes are clarifications vice changes in position.
1	External	Nuclear Energy Institute (NEI)	ML11342A057 ML11353A269	Attachment 2 Discussion 1	Historical Reporting Under 50.72	Section 2.2, "Differences in Tense between 10 CFR 50.72 and 50.73" is still confusing with regards to guidance on historical reports under 50.72. Recommend adding more specific information in each subsection of Section 3.2 "Specific Reporting Criteria."	Agree	Will add more specific information in each subsection of Section 3.2 "Specific Reporting Criteria." Focus will be on reporting historical "Degraded or Unanalyzed Conditions."
1	External	Nuclear Energy Institute (NEI)	ML11342A057 ML11353A269	Attachment 1	Historical Reporting Under 50.72	Section 2.5, "Time Limits for Reporting." Proposed change can cause confusion with regards to when 50.72 notification time begins.	Agree	Will revise section to eliminate confusion with regards to when notification time begins.
1	External	Nuclear Energy Institute (NEI)	ML11342A057 ML11353A269	Attachment 1	Historical Reporting Under 50.72	Section 3.1.1, "Immediate Notifications," conflicts with section 3.2.5, "External Threat or Hampering."	Partial Agreement	Will add more specific information in each subsection of Section 3.2 "Specific Reporting Criteria." Focus will be on reporting historical "Degraded or Unanalyzed Conditions." In addition, 50.73 column under Section 3.1.1 needs to be updated to reflect 50.72 reports that do not require a 50.73 report.

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5	External	Tennessee Valley Authority (TVA)	ML11350A108	N/A	Historical Reporting Under 50.72	Recommend that if clarification is required, that each section of NUREG-1022 that addresses a reporting rule with an associated 10 CFR 50.72 notification clearly indicates NRC's position regarding the need for ENS notification for discovered events or conditions that no longer exist at the time of discovery.	Agree	Will add more specific information in each subsection of Section 3.2 "Specific Reporting Criteria." Focus will be on reporting historical "Degraded or Unanalyzed Conditions."
5	External	Tennessee Valley Authority (TVA)	ML11350A108	N/A	Historical Reporting Under 50.72	Recommend the regulatory analysis for NUREG-1022 revision 3 should discuss the basis for the change, justify the need for the change, properly assess the impact of the change, and compare the safety benefits of the change to the newly imposed regulatory burden associated with the change.	Do Not Agree	Appendix A of "Discussion of NUREG-1022 Changes" (ML11068A030) contains basis for why no change exists. 50.72(a)(1)(ii) contains specific requirements which are further discussed in the FRN and ACRS briefings. Regulatory analysis was not required, but performed to document why clarification was made given industry difference of opinion. Recommend leaving regulatory analysis as is or deleting discussion in regulatory analysis. "Discussion of NUREG-1022 Changes" contains adequate background for why changes are clarifications vice changes in position.
5	External	Tennessee Valley Authority (TVA)	ML11350A108	N/A	Historical Reporting Under 50.72	Reporting of historical events is a change that is inconsistent with the previously stated purposes for ENS notifications, which are to allow NRC to determine whether immediate response is needed to ongoing events and to keep external stakeholders apprised of emerging events.	Do Not Agree	Appendix A of "Discussion of NUREG-1022 Changes" (ML11068A030) contains basis. 50.72(a)(1)(ii) contains specific requirements which are further discussed in the FRN and ACRS briefings. Focusing on the reporting of historical "Degraded or Unanalyzed Conditions" may alleviate concerns.
7	External	South Carolina Electric & Gas	ML11353A408	N/A	Historical Reporting Under 50.72	Section 2.2 now contains a requirement to report past events under 50.72, as well as 50.73. This will require Operators (in some instances) to report some items in the 50.72 time frames, even though the event is not ongoing. There is no added safety benefit to this added burden.	Do Not Agree	Appendix A of "Discussion of NUREG-1022 Changes" (ML11068A030) contains basis. 50.72(a)(1)(ii) contains specific requirements which are further discussed in the FRN and ACRS briefings. Focusing on the reporting of historical "Degraded or Unanalyzed Conditions" may alleviate concerns.
9	External	FirstEnergy Nuclear Operating Company (FENOC)	ML11353A410	N/A	Historical Reporting Under 50.72	Section 2.2, "Differences in Tense between 10 CFR 50.72 and 50.73" requires an ENS notification even if the discovered condition no longer exists. Given that the primary purposes for ENS notifications are to allow NRC to determine whether immediate response is needed to ongoing events and to keep stakeholders apprised of emerging events, its questionable why this guidance is needed as it does not accomplish either of those purposes. The guidance also has the unintended consequence of diverting both plant staff and NRC resources to a past issue with no current safety consequences. Additionally, it should be considered that, since these ENS notifications are accessible to the general public, making these calls for events or conditions that no longer exist could have an unintended effect of misleading or confusing public stakeholders into believing that the plants are in degraded conditions at the time of the call.	Do Not Agree	Appendix A of "Discussion of NUREG-1022 Changes" (ML11068A030) contains basis. 50.72(a)(1)(ii) contains specific requirements which are further discussed in the FRN and ACRS briefings. Focusing on the reporting of historical "Degraded or Unanalyzed Conditions" may alleviate concerns.
13	External	Strategic Teaming and Resource Sharing (STARS) alliance	ML12006A205	N/A	Historical Reporting Under 50.72	Proposed changes to the guidance for 10 CFR 50.72 will now require telephonic reporting of events at the time of discovery even if the event is no longer ongoing at the time of discovery. There is little value in making phone calls for an event that has terminated when the event still requires a written report.	Do Not Agree	Appendix A of "Discussion of NUREG-1022 Changes" (ML11068A030) contains basis. 50.72(a)(1)(ii) contains specific requirements which are further discussed in the FRN and ACRS briefings. Focusing on the reporting of historical "Degraded or Unanalyzed Conditions" may alleviate concerns.
6	External	Progress Energy	ML11350A109	N/A	LCO 3.0.3 as an Operation or Condition Prohibited by TS	Revision in Section 3.2.2, "Operation or Condition Prohibited by Technical Specifications," is confusing. The guidance for reporting if a condition is not corrected within 1 hour has been removed. This clarifying guidance was a useful example and should be restored.	Partial Agreement	Appendix B of "Discussion of NUREG-1022 Changes" (ML11068A030) contains basis for why change was implemented. STS guidance for actions associated with LCO 3.0.3 entry are treated no differently than actions associated with other LCOs. NRC can interact with stakeholders to determine if intent can be reworded to make it less confusing.
14	External	Southern Company	ML12023A039	N/A	LCO 3.0.3 as an Operation or Condition Prohibited by TS	Since the examples did not change, this added discussion is very confusing. Need an example to help explain added text.	Agree	NRC will work with stakeholders to develop examples.
N/A	Internal	Region IV	N/A	N/A	LCO 3.0.3 as an Operation or Condition Prohibited by TS	If an LCO provides no action statement for the plant condition, entry into LCO 3.0.3 for more than 1 hour should continue (consistent with NUREG 1022 Revision 2) to constitute a condition prohibited by Technical Specifications. This reflects that the Commission has previously approved entry into LCO 3.0.3 for a limited set of action statements.	Do Not Agree	Appendix B of "Discussion of NUREG-1022 Changes" (ML11068A030) contains basis for why change was implemented. STS guidance for actions associated with LCO 3.0.3 entry are treated no differently than actions associated with other LCOs.

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N/A	Internal	Region IV	N/A	N/A	LCO 3.0.3 as an Operation or Condition Prohibited by TS	Revision 3 should also reflect Commission policy that entry into LCO 3.0.3 for preventative maintenance is not permitted and would still require an LER.	Do Not Agree	NUREG-1022 provides guidance on reporting associated with 10 CFR 50.72 & 50.73. Plant specific TS, along with STS insights, provides rule & usage associated with TS. Appendix B of "Discussion of NUREG-1022 Changes" (ML11068A030) provides further background. STS guidance for actions associated with LCO 3.0.3 entry are treated no differently than actions associated with other LCOs.
1	External	Nuclear Energy Institute (NEI)	ML11342A057 ML11353A269	Attachment 3	Loss of Emergency Preparedness Capabilities	Mark-up of Section 3.2.13, "Loss of Emergency Preparedness Capabilities," provided.	Partial Agreement	NSIR has provided responses to section on "Loss of Emergency Preparedness Capabilities." Main disagreements with external stakeholders relate to external comments to 1) taking a generalized approach to emergency siren loss, systems within scope for consideration, and allowances for preplanned maintenance. Also, need to change the following: 1) "Loss of Offsite Response Capability," discussion examples need to be "OR," not "AND." 2) Last discussion in "Loss of Emergency Assessment Capability," needs "primary" before "ERF." 3) New example 2 needs additional clarification.
1	External	Nuclear Energy Institute (NEI)	ML11342A057 ML11353A269	Attachment 1	Loss of Emergency Preparedness Capabilities	Section 3.2.13, "Loss of Emergency Preparedness Capabilities." If the ability to perform the Emergency Response Facility function is always maintained, then there is no major loss regardless of the time period that the condition exists (i.e. no need for 72 hour limit).	Do Not Agree	NSIR has provided responses to section on "Loss of Emergency Preparedness Capabilities." Given that the maintenance is planned, limiting the time out of service will help to ensure there is no potential reduction in the effectiveness of the emergency plan.
1	External	Nuclear Energy Institute (NEI)	ML11342A057 ML11353A269	Attachment 1	Loss of Emergency Preparedness Capabilities	Section 3.2.13, "Loss of Emergency Preparedness Capabilities." The loss of ERDS should not be a potential reportable condition since it would not affect the site emergency assessment capability.	Do Not Agree	NSIR has provided responses to section on "Loss of Emergency Preparedness Capabilities." A loss of ERDS may be reportable if there was a loss of ENS as well.
6	External	Progress Energy	ML11350A109	N/A	Loss of Emergency Preparedness Capabilities	Last paragraph of Section 3.2.13, "Loss of Emergency Preparedness Capabilities" states that licensees should use the backup commercial telephone numbers provided in IN 85-44 & IN 86-97. Provide numbers in this section of NUREG.	Agree	NSIR has provided responses to section on "Loss of Emergency Preparedness Capabilities." Numbers will be provided.
N/A	Internal	HOO	N/A	6	Loss of Emergency Preparedness Capabilities	NUREG-1022 should consider including the use of Cell Phones and Satellite Phones as alternate communications capability on page 87 discussions.	Do Not Agree	NSIR has provided responses to section on "Loss of Emergency Preparedness Capabilities." As long as backup communication is a viable compensatory measure, it does not matter what specific equipment is utilized.
N/A	Internal	HOO	N/A	5	Loss of Emergency Preparedness Capabilities	The complete removal of discussions about the ETS system, page 86, seems inappropriate since so many licensees use this system. I believe that the discussion in Revision 2 can be updated and clarified but I do not think that the ETS discussion should be totally removed.	Do Not Agree	NSIR has provided responses to section on "Loss of Emergency Preparedness Capabilities." The NUREG is revised to focus on capabilities as opposed to focusing on specific system loss in order to minimize / prevent confusion.
N/A	Internal	HOO	N/A	4	Loss of Emergency Preparedness Capabilities	The first paragraph of the Loss of Communications Capability discussion in Section 3.2.13, page 86, states: "A loss of the ENS shall be reported as a major loss of communications capability." This is a somewhat more restrictive interpretation of what NUREG-1022 currently requires. The loss of ENS can easily be accommodated by both the licensee and the NRC as long as commercial capability exists.	Agree	NSIR has provided responses to section on "Loss of Emergency Preparedness Capabilities." The NUREG is revised to focus on capabilities as opposed to focusing on specific system loss in order to minimize / prevent confusion.
14	External	Southern Company	ML12023A039	N/A	News Release or Notification of Other Government Agency	Page 26, (Section 2.5, "Time Limits for Reporting") states "Accordingly, it makes sense..." "Sense" is very subjective. Suggest to just state "Accordingly, provide the report..."	Agree	NRC will work with stakeholders to revise. Consideration will be given to moving discussion to section 3.2.12, "News Release or Notification of Other Government Agency."
N/A	Internal	NSIR	N/A	N/A	News Release or Notification of Other Government Agency	The following report should not be required: A licensee notified U.S. Computer Emergency Readiness Team (USCERT) of a cyber security event or incident involving digital computer systems which are not associated with those systems as described in 10 CFR 73.54, "Protection of digital computers and communication systems and networks," or those digital computer systems that do not meet the reportability criteria in Appendix G to Part 73 "Reportable and Recordable Safeguards Events."	Agree	NRC will work with stakeholders to revise.

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12	External	South Texas Project (STP) Nuclear Operating Company	ML12005A210	N/A	Operation or Condition Prohibited by TS	STPNOC proposes that NUREG-1022, Section 3.2.2, "Operation or Condition Prohibited by Technical Specifications," be clarified such that missed conditional Surveillance Requirements listed in Action Statements that are subsequently performed successfully can be treated as another example of a non-reportable TS violation for a missed surveillance.	Do Not Agree	The rule and the FRN (2000 SOC (65 CFR 63777 [comment S], and 65 CFR 63779 [third Column] through 65 CFR 63780 [first column])) are clear that exemptions are allowed only if "the event consisted solely of a case of a late surveillance test where the oversight was corrected, the test was performed, and the equipment was found to be capable of performing its specified safety functions." If a licensee is already in an Action Statement not solely as a result of a late SR, it is because an SSC has other operability related issues. This would not constitute a situation in which equipment was inoperable solely due to a late surveillance. The completion times vs the time determined to be inoperable (even if unaware of the inoperability) would need to be considered when determining reportability under these situations.
N/A	Internal	Region I	N/A	N/A	Operation or Condition Prohibited by TS	Request that Section 3.2.2, "Operation or Condition Prohibited by Technical Specifications," include an example addressing situations in which TS allow 30 days for a licensee to receive results of a charcoal sample. When the results came back on day 20, the licensee knew without a doubt that the charcoal system had been inoperable for at least 20 days (which is greater than the Completion Time of 7 days). The licensee argued that because the TS allow 30 days to obtain sample results, they don't have to report the fact that they exceeded the 7 day Completion Time.	Agree	The completion times vs the time determined to be inoperable (even if unaware of the inoperability) would need to be considered when determining reportability under these situations. NRC will work with stakeholders to develop example.
5	External	Tennessee Valley Authority (TVA)	ML11350A108	N/A	Phase in Period / Enforcement Tools	Recommend that implementation guidance on reportability should clearly indicate that NUREG-1022, Revision 3 is effective in a forward-looking manner and that there is no need for licensees to undertake "look-back" reviews for previously reported discovered conditions to reassess those past events or conditions under the new guidelines.	Agree	Recommend the following enforcement considerations for any item discussed in the Appendixes of the finalized Discussion of Change document: 1) NUREG-1022, Revision 3 to become effective 90 days after publication in the FRN. 2) NUREG-1022, Revision 3 to be considered guidance for any newly discovered events (includes discovery of new events that occurred within past three years). 3) There is no need for licensees to undertake "look-back" reviews for previously reported discovered conditions to reassess those past events or conditions under the new guidelines.
5	External	Tennessee Valley Authority (TVA)	ML11350A108	N/A	Phase in Period / Enforcement Tools	Recommend that NRC provide an implementation period (90 days) for the NUREG-1022, Revision 3 that allows for necessary actions (e.g., operator training) to be, accomplished by a well structured change management plan.	Agree	Recommend the following enforcement considerations for any item discussed in the Appendixes of the finalized Discussion of Change document: 1) NUREG-1022, Revision 3 to become effective 90 days after publication in the FRN. 2) NUREG-1022, Revision 3 to be considered guidance for any newly discovered events (includes discovery of new events that occurred within past three years). 3) There is no need for licensees to undertake "look-back" reviews for previously reported discovered conditions to reassess those past events or conditions under the new guidelines.
5	External	Tennessee Valley Authority (TVA)	ML11350A108	N/A	Phase in Period / Enforcement Tools	Recommend that NRC provide detailed guidance to address how reportability should be handled for events or conditions that may have occurred up to 3 years prior to the effective date of the issuance of NUREG-1022, Revision 3.	Agree	Recommend the following enforcement considerations for any item discussed in the Appendixes of the finalized Discussion of Change document: 1) NUREG-1022, Revision 3 to become effective 90 days after publication in the FRN. 2) NUREG-1022, Revision 3 to be considered guidance for any newly discovered events (includes discovery of new events that occurred within past three years). 3) There is no need for licensees to undertake "look-back" reviews for previously reported discovered conditions to reassess those past events or conditions under the new guidelines.

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9	External	FirstEnergy Nuclear Operating Company (FENOC)	ML11353A410	N/A	Phase in Period / Enforcement Tools	With the issuance of the final NUREG-1022 Revision 3, NRC should consider providing detailed guidance regarding how reportability should be handled for events or conditions that may have occurred up to 3 years prior to the effective date of the issuance. This guidance is likely necessary to avoid unintended impacts that would require 10 CFR 50.72 notifications and/or 10 CFR 50.73 reports for events or conditions that were previously correctly determined to not be reportable under the existing guidance. For instance, the implementation guidance should clearly indicate that NUREG-1022 Revision 3 is effective in a forwardlooking manner and that there is no need to reassess past events or conditions under the new guidelines.	Agree	Recommend the following enforcement considerations for any item discussed in the Appendixes of the finalized Discussion of Change document: 1) NUREG-1022, Revision 3 to become effective 90 days after publication in the FRN. 2) NUREG-1022, Revision 3 to be considered guidance for any newly discovered events (includes discovery of new events that occurred within past three years). 3) There is no need for licensees to undertake "look-back" reviews for previously reported discovered conditions to reassess those past events or conditions under the new guidelines.
1	External	Nuclear Energy Institute (NEI)	ML11342A057 ML11353A269	Attachment 2 Discussion 2	Plant Shutdown Required by TS	Regulatory analysis is inadequate in that it does not specifically recognize a change in position nor does it provide any analysis of the potential impact of the change in position.	Partial Agreement	Specific background considerations for example in question are unclear. There are other examples and discussions in the current NUREG-1022, Revision 2, that provide clear guidance that the initiation of any shutdown due to expected inability to restore equipment prior to exceeding the LCO action time is reportable. The example is being revised to be clearer that such shutdowns are reportable (i.e. initiation of any shutdown due to expected inability to restore equipment prior to exceeding the LCO action time). There is no conflict with either the FRN or the rule. Will add to Appendix of final Discussion of Change document to provide additional background. Regulatory analysis may not be required for clarification, but will consider limited discussion in a finalized Regulatory Analysis as to why clarification was made.
1	External	Nuclear Energy Institute (NEI)	ML11342A057 ML11353A269	Attachment 2 Discussion 2	Plant Shutdown Required by TS	Revision to Example 3 in Section 3.2.1, "Plant Shutdown Required by Technical Specifications," is an NRC change in position.	Do Not Agree	Specific background considerations for example in question are unclear. There are other examples and discussions in the current NUREG-1022, Revision 2, that provide clear guidance that the initiation of any shutdown due to expected inability to restore equipment prior to exceeding the LCO action time is reportable. The example is being revised to be clearer that such shutdowns are reportable (i.e. initiation of any shutdown due to expected inability to restore equipment prior to exceeding the LCO action time). There is no conflict with either the FRN or the rule. Will add to Appendix of final Discussion of Change document to provide additional background.
1	External	Nuclear Energy Institute (NEI)	ML11342A057 ML11353A269	Attachment 1	Plant Shutdown Required by TS	Section 3.2.1, "Plant Shutdown Required by Technical Specifications." Change to Example 3 conflicts with the NRC LER Workshop that occurred following rulemaking in 1983. Reference NUREG 1022 Supplement 1 page 3.	Do Not Agree	Specific background considerations for example in question are unclear. There are other examples and discussions in the current NUREG-1022, Revision 2, that provide clear guidance that the initiation of any shutdown due to expected inability to restore equipment prior to exceeding the LCO action time is reportable. The example is being revised to be clearer that such shutdowns are reportable (i.e. initiation of any shutdown due to expected inability to restore equipment prior to exceeding the LCO action time). There is no conflict with either the FRN or the rule. Will add to Appendix of final Discussion of Change document to provide additional background.
1	External	Nuclear Energy Institute (NEI)	ML11342A057 ML11353A269	Attachment 1	Plant Shutdown Required by TS	Section 3.2.1, "Plant Shutdown Required by Technical Specifications." Change to Example 3 will result in reports for those cases where the shutdown was not required by Technical Specifications.	Do Not Agree	Specific background considerations for example in question are unclear. There are other examples and discussions in the current NUREG-1022, Revision 2, that provide clear guidance that the initiation of any shutdown due to expected inability to restore equipment prior to exceeding the LCO action time is reportable. The example is being revised to be clearer that such shutdowns are reportable (i.e. initiation of any shutdown due to expected inability to restore equipment prior to exceeding the LCO action time). There is no conflict with either the FRN or the rule. Will add to Appendix of final Discussion of Change document to provide additional background.

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N/A	Internal	HOO	N/A	2	Plant Shutdown Required by TS	Concerned about the discussion in Section 3.2, page 35, of the need to report any shutdown to address equipment that has a TS LCO clock ticking as a TS required S/D - even if the equipment LCO reporting time has not yet been exceeded. This is a change rather than a clarification from the previous NUREG-1022 position.	Do Not Agree	Specific background considerations for example in question are unclear. There are other examples and discussions in the current NUREG-1022, Revision 2, that provide clear guidance that the initiation of any shutdown due to expected inability to restore equipment prior to exceeding the LCO action time is reportable. The example is being revised to be clearer that such shutdowns are reportable (i.e. initiation of any shutdown due to expected inability to restore equipment prior to exceeding the LCO action time). There is no conflict with either the FRN or the rule. Will add to Appendix of final Discussion of Change document to provide additional background.
9	External	FirstEnergy Nuclear Operating Company (FENOC)	ML11353A410	N/A	System Actuations	NUREG-1022, Revision 3, Section 3.2.6, "System Actuation," should be clarified to indicate that reporting of system actuations of emergency service water (ESW) systems that do not normally run, and serve as ultimate heat sinks is only required for those ESW systems which are specified in the plant's accident analysis or included in Technical Specifications.	Do Not Agree	The Federal Register Notice (FRN) associated with the 2000 rule has various discussions on this change. The discussions highlight that system classification have no bearing on reportability. Comment B (65 FR 63770) opposes the change and highlights of the NRC response are: "The NRC believes providing a list of systems is the best approach because it will obtain consistent reporting of events that result in actuation of highly risk-significant systems. Consistent reporting for such events is needed to support estimating equipment reliability parameters and is important to several aspects of the NRC's general move towards more risk-informed regulation." "The NRC believes that these systems remaining on the list are of sufficient risk significance to warrant reporting of a system actuation. The principal reason for reporting an actuation of one of these systems is that it is indicative of an unplanned plant transient that the NRC needs to evaluate to determine if action is necessary to address a safety problem. In this context, the NRC's need to evaluate the event is independent of classification of the system."
1	External	Nuclear Energy Institute (NEI)	ML11342A057 ML11353A269	Attachment 2 Discussion 4	Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Is an NRC change in position. Systems within scope include only those that perform a safety function credited in the accident analysis.	Agree	Appendix C of "Discussion of NUREG-1022 Changes" (ML11068A030) contains historical background. NUREG-1022 has been inconsistent with guidance on systems within scope over the course of 30 years. NUREG-1022, Revision 2 currently contains two positions on systems within scope. One position is consistent with the FRN, while the other is not. Draft NUREG-1022 took a new position that is inconsistent with the FRN and most recent guidance (RIS 2001-14). Recommend revising NUREG-1022 to be consistent with FRN (i.e. systems within scope are safety related systems required for accident mitigation).
1	External	Nuclear Energy Institute (NEI)	ML11342A057 ML11353A269	Attachment 2 Discussion 4	Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Regulatory analysis is inadequate based on non conservative assumptions.	Partial Agreement	Appendix C of "Discussion of NUREG-1022 Changes" (ML11068A030) contains historical background. NUREG-1022 has been inconsistent with guidance on systems within scope over the course of 30 years. NUREG-1022, Revision 2 currently contains two positions on systems within scope. One position is consistent with the FRN, while the other is not. Draft NUREG-1022 took a new position that is inconsistent with the FRN and most recent guidance (RIS 2001-14). Recommend revising NUREG-1022 to be consistent with FRN (i.e. systems within scope are safety related systems required for accident mitigation). The Regulatory Analysis made an attempt as to what the impact will be, however it will not fully be known until the draft position is implemented.
1	External	Nuclear Energy Institute (NEI)	ML11342A057 ML11353A269	Attachment 2 Discussion 4	Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	The proposed position is contrary to discussions found in the Statements of Consideration and RIS 2001-14. If this change is pursued it should be implemented with a revision to the wording of the rules.	Agree	Appendix C of "Discussion of NUREG-1022 Changes" (ML11068A030) contains historical background. NUREG-1022 has been inconsistent with guidance on systems within scope over the course of 30 years. NUREG-1022, Revision 2 currently contains two positions on systems within scope. One position is consistent with the FRN, while the other is not. Draft NUREG-1022 took a new position that is inconsistent with the FRN and most recent guidance (RIS 2001-14). Recommend revising NUREG-1022 to be consistent with FRN (i.e. systems within scope are safety related systems required for accident mitigation).

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4	External	Regional Utility Group IV	ML11350A1132	N/A	Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	The proposed changes associated with "capable of fulfillment of a safety function" and "systems within scope" clearly expand the scope of reporting beyond that originally intended. The effect of these changes will be to require reporting of some conditions that would not have prevented fulfillment of system function.	Partial Agreement	Appendix C of "Discussion of NUREG-1022 Changes" (ML11068A030) contains historical background on systems within scope. NUREG-1022 has been inconsistent with guidance on systems within scope over the course of 30 years. NUREG-1022, Revision 2 currently contains two positions on systems within scope. One position is consistent with the FRN, while the other is not. Draft NUREG-1022 took a new position that is inconsistent with the FRN and most recent guidance (RIS 2001-14). Recommend revising NUREG-1022 to be consistent with FRN (i.e. systems within scope are safety related systems required for accident mitigation). With regards to inadvertent system inoperabilities being reportable, Appendix D of "Discussion of NUREG-1022 Changes" (ML11068A030) contains background information. For systems within scope, the inadvertent TS inoperability of a system in a required mode of applicability constitutes an event or condition for which there is no longer a reasonable expectation that equipment can fulfill its safety function. Therefore, such events or conditions are reportable as an "Event or Condition that Could Have Prevented Fulfillment of a Safety Function." This is not considered a new staff position.
4	External	Regional Utility Group IV	ML11350A1132	N/A	Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	This expansion of requirements should be accompanied by a regulatory analysis that fully justifies the safety benefit of the change and the impact on other regulatory processes, such as the Reactor Oversight Process Performance indicator that is based on safety system functional failures.	Partial Agreement	Appendix C of "Discussion of NUREG-1022 Changes" (ML11068A030) contains historical background. NUREG-1022 has been inconsistent with guidance on systems within scope over the course of 30 years. NUREG-1022, Revision 2 currently contains two positions on systems within scope. One position is consistent with the FRN, while the other is not. Draft NUREG-1022 took a new position that is inconsistent with the FRN and most recent guidance (RIS 2001-14). Recommend revising NUREG-1022 to be consistent with FRN (i.e. systems within scope are safety related systems required for accident mitigation). The Regulatory Analysis made an attempt as to what the impact will be, however it will not fully be known until the draft position is implemented.
5	External	Tennessee Valley Authority (TVA)	ML11350A108	N/A	Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	It appears that fundamental changes to the stated intention of any rule as reflected in the associated FRNs would appropriately be made by the rulemaking process.	Agree	Appendix C of "Discussion of NUREG-1022 Changes" (ML11068A030) contains historical background. NUREG-1022 has been inconsistent with guidance on systems within scope over the course of 30 years. NUREG-1022, Revision 2 currently contains two positions on systems within scope. One position is consistent with the FRN, while the other is not. Draft NUREG-1022 took a new position that is inconsistent with the FRN and most recent guidance (RIS 2001-14). Recommend revising NUREG-1022 to be consistent with FRN (i.e. systems within scope are safety related systems required for accident mitigation).
5	External	Tennessee Valley Authority (TVA)	ML11350A108	N/A	Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	The change goes beyond clarifying ambiguities and, rather, establishes a new position that differs with the original intention of the associated rules and long-held and long-understood positions regarding the intention of the rules.	Agree	Appendix C of "Discussion of NUREG-1022 Changes" (ML11068A030) contains historical background. NUREG-1022 has been inconsistent with guidance on systems within scope over the course of 30 years. NUREG-1022, Revision 2 currently contains two positions on systems within scope. One position is consistent with the FRN, while the other is not. Draft NUREG-1022 took a new position that is inconsistent with the FRN and most recent guidance (RIS 2001-14). Recommend revising NUREG-1022 to be consistent with FRN (i.e. systems within scope are safety related systems required for accident mitigation).

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9	External	FirstEnergy Nuclear Operating Company (FENOC)	ML11353A410	N/A	Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Changes in Section 3.2.7 conflict with the original intention of the associated rules. This comment is most applicable to the the scope of SSCs covered by the rule. The proposed changes the scope from those SSCs credited by the plant's accident analyses in fulfilling the safety functions listed in 10 CFR 50.72(b)(3)(vi) and 10 CFR 50.73(a)(2)(vi) to SSCs contained within Technical Specifications. Changing the guidance for these rules is not the proper process for effecting changes of this magnitude. If NRC believes that these rules, as they currently exist, are in need of this type of change, the appropriate manner for making such changes is to pursue rulemaking. Furthermore, changing the guidance without changing the rule itself will only lead to further confusion. Without a change to the rule, the potential remains for users to continue to refer back to the explanations in the Statements of Consideration. In many places, those explanations will conflict with the guidance in the revised NUREG. Therefore, the potential will still exist that events will not be reported as currently intended by NRC.	Agree	Appendix C of "Discussion of NUREG-1022 Changes" (ML11068A030) contains historical background. NUREG-1022 has been inconsistent with guidance on systems within scope over the course of 30 years. NUREG-1022, Revision 2 currently contains two positions on systems within scope. One position is consistent with the FRN, while the other is not. Draft NUREG-1022 took a new position that is inconsistent with the FRN and most recent guidance (RIS 2001-14). Recommend revising NUREG-1022 to be consistent with FRN (i.e. systems within scope are safety related systems required for accident mitigation).
9	External	FirstEnergy Nuclear Operating Company (FENOC)	ML11353A410	N/A	Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Regulatory guide in inadequate. it is impossible to estimate the impact with any accuracy. Recent LERs from a few sites have been reviewed and the number of reports that will be made under this criterion is expected to approximately double. In addition, it is expected that many of these additional LERs will discuss systems that are not credited in the accident analysis and will be able to perform their intended function.	Partial Agreement	Appendix C of "Discussion of NUREG-1022 Changes" (ML11068A030) contains historical background. NUREG-1022 has been inconsistent with guidance on systems within scope over the course of 30 years. NUREG-1022, Revision 2 currently contains two positions on systems within scope. One position is consistent with the FRN, while the other is not. Draft NUREG-1022 took a new position that is inconsistent with the FRN and most recent guidance (RIS 2001-14). Recommend revising NUREG-1022 to be consistent with FRN (i.e. systems within scope are safety related systems required for accident mitigation). The Regulatory Analysis made an attempt as to what the impact will be, however it will not fully be known until the draft position is implemented.
10	External	Entergy	ML11353A411	N/A	Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	The changes proposed represent substantive changes to previously documented positions associated with these rules and that the regulatory analysis does not provide a complete representation of the impact of the proposed changes. In the one instance where the regulatory analysis does acknowledge that a change in regulatory position is being made (the scope of systems reportable under 10 CFR 50.72(b)(3)(v), 50.72(b)(3)(vi), 50.73(a)(2)(v), and 50.73(a)(2)(vi)) our belief is that it underestimates the impact of the change on plant resources by more than an order of magnitude.	Agree	Appendix C of "Discussion of NUREG-1022 Changes" (ML11068A030) contains historical background. NUREG-1022 has been inconsistent with guidance on systems within scope over the course of 30 years. NUREG-1022, Revision 2 currently contains two positions on systems within scope. One position is consistent with the FRN, while the other is not. Draft NUREG-1022 took a new position that is inconsistent with the FRN and most recent guidance (RIS 2001-14). Recommend revising NUREG-1022 to be consistent with FRN (i.e. systems within scope are safety related systems required for accident mitigation). The Regulatory Analysis made an attempt as to what the impact will be, however it will not fully be known until the draft position is implemented.
11	External	Exelon	ML11361A433	N/A	Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	There seems to be an increase in the scope of systems to be included under these reporting criteria and would imply the need to report a loss of safety function for systems which are not credited in the plant's accident analyses. This does not appear consistent with the original reporting requirements.	Agree	Appendix C of "Discussion of NUREG-1022 Changes" (ML11068A030) contains historical background. NUREG-1022 has been inconsistent with guidance on systems within scope over the course of 30 years. NUREG-1022, Revision 2 currently contains two positions on systems within scope. One position is consistent with the FRN, while the other is not. Draft NUREG-1022 took a new position that is inconsistent with the FRN and most recent guidance (RIS 2001-14). Recommend revising NUREG-1022 to be consistent with FRN (i.e. systems within scope are safety related systems required for accident mitigation).

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12	External	South Texas Project (STP) Nuclear Operating Company	ML12005A210	N/A	Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	STPNOC shares the concern that because of the expanded list of systems to be considered in scope and the inclusion of "inoperable" systems, the proposed changes would result in a significant increase in the reporting of Safety System Functional Failures (as discussed in the proposed changes to NUREG-1022, Section 3.2.7), when in many cases there would be no loss of the ability to provide the required safety function.	Partial Agreement	Appendix C of "Discussion of NUREG-1022 Changes" (ML11068A030) contains historical background on systems within scope. NUREG-1022 has been inconsistent with guidance on systems within scope over the course of 30 years. NUREG-1022, Revision 2 currently contains two positions on systems within scope. One position is consistent with the FRN, while the other is not. Draft NUREG-1022 took a new position that is inconsistent with the FRN and most recent guidance (RIS 2001-14). Recommend revising NUREG-1022 to be consistent with FRN (i.e. systems within scope are safety related systems required for accident mitigation). With regards to inadvertent system inoperabilities being reportable, Appendix D of "Discussion of NUREG-1022 Changes" (ML11068A030) contains background information. For systems within scope, the inadvertent TS inoperability of a system in a required mode of applicability constitutes an event or condition for which there is no longer a reasonable expectation that equipment can fulfill its safety function. Therefore, such events or conditions are reportable as an "Event or Condition that Could Have Prevented Fulfillment of a Safety Function." This is not considered a new staff position.
13	External	Strategic Teaming and Resource Sharing (STARS) alliance	ML12006A205	N/A	Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	The proposed changes would result in a significant increase in reporting of Safety System Functional Failures (SSFFs) (i.e., Section 3.2.7, "Event or Condition that Could Have Prevented Fulfillment of a Safety Function"), when, in many of the cases, there was no loss of safety function. This increase in reporting is due to an expanded list of systems to be considered in scope, as well as, the inclusion of all "inoperable" systems. Systems within scope for SSFFs should be only those systems credited in the accident analysis that specifically support safety functions A through D in the rules. This is consistent with the current rule language, statements of consideration, and industry practice.	Partial Agreement	Appendix C of "Discussion of NUREG-1022 Changes" (ML11068A030) contains historical background on systems within scope. NUREG-1022 has been inconsistent with guidance on systems within scope over the course of 30 years. NUREG-1022, Revision 2 currently contains two positions on systems within scope. One position is consistent with the FRN, while the other is not. Draft NUREG-1022 took a new position that is inconsistent with the FRN and most recent guidance (RIS 2001-14). Recommend revising NUREG-1022 to be consistent with FRN (i.e. systems within scope are safety related systems required for accident mitigation). With regards to inadvertent system inoperabilities being reportable, Appendix D of "Discussion of NUREG-1022 Changes" (ML11068A030) contains background information. For systems within scope, the inadvertent TS inoperability of a system in a required mode of applicability constitutes an event or condition for which there is no longer a reasonable expectation that equipment can fulfill its safety function. Therefore, such events or conditions are reportable as an "Event or Condition that Could Have Prevented Fulfillment of a Safety Function." This is not considered a new staff position.
14	External	Southern Company	ML12023A039	N/A	Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	There is an increase in the scope of systems that were included in the original reporting requirements. Need to add clarity in regards to including support systems. The support systems should only be included if it is assumed in the plant's accident analysis to perform one of the four functions (A) through (D) specified in the rule. Sounds like this change is requiring cascading of TS.	Agree	Appendix C of "Discussion of NUREG-1022 Changes" (ML11068A030) contains historical background. NUREG-1022 has been inconsistent with guidance on systems within scope over the course of 30 years. NUREG-1022, Revision 2 currently contains two positions on systems within scope. One position is consistent with the FRN, while the other is not. Draft NUREG-1022 took a new position that is inconsistent with the FRN and most recent guidance (RIS 2001-14). Recommend revising NUREG-1022 to be consistent with FRN (i.e. systems within scope are safety related systems required for accident mitigation).
N/A	Internal	Region IV	N/A	N/A	Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Fire protection should be included in sections 3.2.7 and 3.2.8. Revision 3 should include those events in which one fire can damage both safety trains or where post fire safe shutdown cannot be achieved. More specifically, those instances where there would be no train of residual heat removal or emergency diesel generators available for post fire safe shutdown. This could include one fire damaging both trains or one fire damaging a train with no control room procedures for safe shutdown with the undamaged train. Losses of all fire water would not be reportable unless the fire suppression was needed to achieve post fire safe shutdown because most fire areas are assumed to be completely lost in fire hazard analyses.	Do Not Agree	Appendix C of "Discussion of NUREG-1022 Changes" (ML11068A030) contains historical background. NUREG-1022 has been inconsistent with guidance on systems within scope over the course of 30 years. NUREG-1022, Revision 2 currently contains two positions on systems within scope. One position is consistent with the FRN, while the other is not. Draft NUREG-1022 took a new position that is inconsistent with the FRN and most recent guidance (RIS 2001-14). Recommend revising NUREG-1022 to be consistent with FRN (i.e. systems within scope are safety related systems required for accident mitigation). It is it should be noted that if a fire protection identified issue can result in a lack of a required degree of separation for redundant safe shutdown trains, the event would be reportable as an unanalyzed condition that significantly degraded plant safety (see NUREG-1022, Rev 2, page 41).

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N/A	Internal	Region IV	N/A	N/A	Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Overall, the scope of systems for Section 3.2.7 and 3.2.8 should include systems that perform a function A through D of the rule and may not be included in a Technical Specifications, but are required by the USAR to meet other NRC requirements such as GDCs or Appendix R. This would include those systems that respond to ANS condition II and III events and not just Condition IV events (USAR Chapter 15).	Do Not Agree	Appendix C of "Discussion of NUREG-1022 Changes" (ML11068A030) contains historical background. NUREG-1022 has been inconsistent with guidance on systems within scope over the course of 30 years. NUREG-1022, Revision 2 currently contains two positions on systems within scope. One position is consistent with the FRN, while the other is not. Draft NUREG-1022 took a new position that is inconsistent with the FRN and most recent guidance (RIS 2001-14). Recommend revising NUREG-1022 to be consistent with FRN (i.e. systems within scope are safety related systems required for accident mitigation). It should be noted that accidents are identified as events of moderate frequency, infrequent incidents, or limiting faults as discussed in Regulatory Guide 1.70 (or equivalent classifications of the three types of events). The American Nuclear Society (ANS) categorizes these events as Condition II, III and IV type events.
N/A	Internal	Region IV	N/A	N/A	Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Page 4 of Attachment 2, "Tentative Disposition of Previously Identified Issues" (ML102630377), Revision 3 should not be limited to chapters 6 and 15 of the USAR. Engineered Safety Features (though other plants may have a different term) systems consist of systems listed and described in USAR chapters 6, 7, 8, 9, and 10. This may include other safety systems controlled under a Technical Requirements Manual (TRM), USAR Chapter 16, or similar document. Less challenging events still require operable equipment to assure safety and should be included as reportable losses of safety function. Examples of systems that may not be explicitly discussed but would still be required by Technical Specifications, such as reactor trips in the source or intermediate range where the power range instruments are not required to be operable. Inadvertent boron dilution mitigation measures credited by USAR chapter 15 are typically not in a TS any longer, but are still maintained by the plant.	Do Not Agree	Appendix C of "Discussion of NUREG-1022 Changes" (ML11068A030) contains historical background. NUREG-1022 has been inconsistent with guidance on systems within scope over the course of 30 years. NUREG-1022, Revision 2 currently contains two positions on systems within scope. One position is consistent with the FRN, while the other is not. Draft NUREG-1022 took a new position that is inconsistent with the FRN and most recent guidance (RIS 2001-14). Recommend revising NUREG-1022 to be consistent with FRN (i.e. systems within scope are safety related systems required for accident mitigation). It should be noted that the recommendation applies to systems and structures credited to mitigate the consequences of an accident as discussed in Chapters 6 and 15 of the Final Safety Analysis Report (FSAR) (or equivalent chapters).
N/A	Internal	Region IV	N/A	N/A	Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Plants have other design features required for internal flooding, high or medium energy line breaks, losses of offsite power, or natural events that would require safe shutdown and are not discussed in Chapter 6. This information is found in Chapter 7 and describes essential equipment needed to achieve safe shutdown. Some examples of systems that are required for safety include LTOP (or COMS) to mitigate cold overpressure events and breakage of the primary system. Systems such as spent fuel pool cooling and the boric acid system should also be included since they are required safety systems.	Do Not Agree	Appendix C of "Discussion of NUREG-1022 Changes" (ML11068A030) contains historical background. NUREG-1022 has been inconsistent with guidance on systems within scope over the course of 30 years. NUREG-1022, Revision 2 currently contains two positions on systems within scope. One position is consistent with the FRN, while the other is not. Draft NUREG-1022 took a new position that is inconsistent with the FRN and most recent guidance (RIS 2001-14). Recommend revising NUREG-1022 to be consistent with FRN (i.e. systems within scope are safety related systems required for accident mitigation). If there is a desire to expand the scope of the rule, the Commission should be kept informed of such activities.
N/A	Internal	Region IV	N/A	N/A	Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Post accident monitoring instrumentation should meet one or more criteria of 50.72(b)(3) and 50.73(a)(2)(v). Decisions made by the control room during an accident would be driven, in part, by these instruments.	Partial Agreement	Appendix C of "Discussion of NUREG-1022 Changes" (ML11068A030) contains historical background. NUREG-1022 has been inconsistent with guidance on systems within scope over the course of 30 years. NUREG-1022, Revision 2 currently contains two positions on systems within scope. One position is consistent with the FRN, while the other is not. Draft NUREG-1022 took a new position that is inconsistent with the FRN and most recent guidance (RIS 2001-14). Recommend revising NUREG-1022 to be consistent with FRN (i.e. systems within scope are safety related systems required for accident mitigation). It should be noted that if PAM instrumentation is required for accident mitigation due to crediting of manual actions or other analysis considerations, then the specific PAM instrumentation would be within scope.

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N/A	Internal	Region IV	N/A	N/A	Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Since no USAR permits the loss of spent fuel pool cooling, instead stating limits on level or temperature. Since there are no technical specifications for fuel pool cooling, it would be valuable to include some guidance. Potential losses of fuel pool cooling for times greater than calculated in the USAR should be reportable. Since most SFP cooling is shed from busses on LOOP or Safety Injection signals, loss of cooling on a valid signal should not require an LER.	Do Not Agree	Appendix C of "Discussion of NUREG-1022 Changes" (ML11068A030) contains historical background. NUREG-1022 has been inconsistent with guidance on systems within scope over the course of 30 years. NUREG-1022, Revision 2 currently contains two positions on systems within scope. One position is consistent with the FRN, while the other is not. Draft NUREG-1022 took a new position that is inconsistent with the FRN and most recent guidance (RIS 2001-14). Recommend revising NUREG-1022 to be consistent with FRN (i.e. systems within scope are safety related systems required for accident mitigation). It should be noted that if spent fuel temperature or level exceeds certain criteria, many plants will declare an Emergency Class (which is reportable to the NRC). Also, reports for system actuation are different than reports for events or conditions that could have prevented fulfillment of a safety function. "Shedding" of a train or a system from a bus in accordance with a design would not be considered an event or condition that could have prevented fulfillment of a safety function.
N/A	Internal	Region IV	N/A	N/A	Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Since RIS 2005-20 is the standard for operability of TS systems, Section 3.2.7 and 3.2.8 should state that functionality reviews where required for systems not in the TS would be used as the standard for determining if an LER is required.	Do Not Agree	Appendix C of "Discussion of NUREG-1022 Changes" (ML11068A030) contains historical background. NUREG-1022 has been inconsistent with guidance on systems within scope over the course of 30 years. NUREG-1022, Revision 2 currently contains two positions on systems within scope. One position is consistent with the FRN, while the other is not. Draft NUREG-1022 took a new position that is inconsistent with the FRN and most recent guidance (RIS 2001-14). Recommend revising NUREG-1022 to be consistent with FRN (i.e. systems within scope are safety related systems required for accident mitigation). If there is a desire to expand the scope of the rule, the Commission should be kept informed of such activities.
N/A	Internal	Region IV	N/A	N/A	Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Systems within scope should be those systems that respond to events classified as ANS Condition II, III, and IV events. This is important to include those systems that are required for safety, but may not be explicitly described in Chapter 15 which usually consists of the most limiting events (Condition IV events).	Partial Agreement	Appendix C of "Discussion of NUREG-1022 Changes" (ML11068A030) contains historical background. NUREG-1022 has been inconsistent with guidance on systems within scope over the course of 30 years. NUREG-1022, Revision 2 currently contains two positions on systems within scope. One position is consistent with the FRN, while the other is not. Draft NUREG-1022 took a new position that is inconsistent with the FRN and most recent guidance (RIS 2001-14). Recommend revising NUREG-1022 to be consistent with FRN (i.e. systems within scope are safety related systems required for accident mitigation). It should be noted that accidents are identified as events of moderate frequency, infrequent incidents, or limiting faults as discussed in Regulatory Guide 1.70 (or equivalent classifications of the three types of events). The American Nuclear Society (ANS) categorizes these events as Condition II, III and IV type events. It should be noted that the recommendation applies to systems and structures credited to mitigate the consequences of an accident as discussed in Chapters 6 and 15 of the Final Safety Analysis Report (FSAR) (or equivalent chapters).
N/A	Internal	Region IV	N/A	N/A	Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	The applicability of when systems are required to be operable or functional should include those times when they are required for safety, but not the TS, such as during refueling outages. This would be consistent with the USAR. For example, at least one diesel is usually required to be available during modes 5, 6 and defueled to supply power to cool fuel and support fuel handling accidents (though it may not have to fast start for Mode 1 operability purposes). This support function may not be explicitly in the TS, but it is in the dose calculation for such events. Note that there is no event where spent fuel pool cooling is lost longer than it takes the control room to manually restart it.	Do Not Agree	Appendix C of "Discussion of NUREG-1022 Changes" (ML11068A030) contains historical background. NUREG-1022 has been inconsistent with guidance on systems within scope over the course of 30 years. NUREG-1022, Revision 2 currently contains two positions on systems within scope. One position is consistent with the FRN, while the other is not. Draft NUREG-1022 took a new position that is inconsistent with the FRN and most recent guidance (RIS 2001-14). Recommend revising NUREG-1022 to be consistent with FRN (i.e. systems within scope are safety related systems required for accident mitigation). If there is a desire to expand the scope of the rule, the Commission should be kept informed of such activities. If the conditions at the plant deteriorate to warrant declaration of an emergency class, the NRC would be made aware via an EN.

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N/A	Internal	Region IV	N/A	N/A	Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	This seems like a change in regards to how RCIC failures are reported. Will there be some form of enforcement discretion for the past three years of operation? Is the regulatory analysis intended to be a cost justified backfit analysis?	Partial Agreement	Appendix C of "Discussion of NUREG-1022 Changes" (ML11068A030) contains historical background. NUREG-1022 has been inconsistent with guidance on systems within scope over the course of 30 years. NUREG-1022, Revision 2 currently contains two positions on systems within scope. One position is consistent with the FRN, while the other is not. Draft NUREG-1022 took a new position that is inconsistent with the FRN and most recent guidance (RIS 2001-14). Recommend revising NUREG-1022 to be consistent with FRN (i.e. systems within scope are safety related systems required for accident mitigation). Enforcement considerations are being taken into account as well. It should be noted that the FRN (76 FRN 63565) for the NUREG-1022 draft states that the NRC has determined that the Backfit Rule, 10 CFR 50.109, "Backfitting," does not apply to the issuance of the revised guidance in NUREG-1022, Revision 3. The basis for conducting the regulatory analysis was discussed in the FRN as well.
1	External	Nuclear Energy Institute (NEI)	ML11342A057 ML11353A269	Attachment 2 Discussion 3	TS system inoperabilities with regards to "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Is an NRC change in position. Administratively inoperable trains or channels can be fully capable of performing their specified safety function. Examples of administrative requirements can be declaration of inoperability due to failed SR, action statements in EDG/Offsite Power LCOs, and not meeting requirements in TRM's.	Partial Agreement	Appendix D of "Discussion of NUREG-1022 Changes" (ML11068A030) contains background information. For systems within scope, the inadvertent TS inoperability of a system in a required mode of applicability constitutes an event or condition for which there is no longer a reasonable expectation that equipment can fulfill its safety function. Therefore, such events or conditions are reportable as an "Event or Condition that Could Have Prevented Fulfillment of a Safety Function." This is not considered a new staff position in that the position is already documented and not considered to be in conflict with either the rule or the FRN. The NRC will consider adding wording to the NUREG regarding declaration of inoperability due to EDG/Offsite Power LCOs in which inoperability is declared as part of an Action statement that maintains defense in depth by assuming an additional single random failure (i.e. such scenarios would not be reportable).
1	External	Nuclear Energy Institute (NEI)	ML11342A057 ML11353A269	Attachment 2 Discussion 3	TS system inoperabilities with regards to "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Regulatory analysis is inadequate. The draft removes a large section of existing language from the guidance that clarifies the intent of the criterion by examples. However, the regulatory analysis provides neither any analysis to justify the changes nor does it attempt to assess the potential impact(s) of the changes.	Do Not Agree	Regulatory analysis was not required, but performed to document why clarification was made given industry difference of opinion. Recommend leaving regulatory analysis as is or deleting discussion in regulatory analysis. "Discussion of NUREG-1022 Changes" contains adequate background for why changes are clarifications vice changes in position. In addition, Appendix D of "Discussion of NUREG-1022 Changes" (ML11068A030) contains background information. For systems within scope, the inadvertent TS inoperability of a system in a required mode of applicability constitutes an event or condition for which there is no longer a reasonable expectation that equipment can fulfill its safety function. Therefore, such events or conditions are reportable as an "Event or Condition that Could Have Prevented Fulfillment of a Safety Function." This is not considered a new staff position in that the position is already documented and not considered to be in conflict with either the rule or the FRN. The "examples" removed contained discussions pertinent to RIS 2005-20. Although the current discussions in NUREG-1022, rev 2 and RIS 2005-20 are similar, there have been opinions presented that both discussions are different. This has led to inconsistent reporting. By removing

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1	External	Nuclear Energy Institute (NEI)	ML11342A057 ML11353A269	Attachment 2 Discussion 3	TS system inoperabilities with regards to "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	The draft removes detailed examples of the types of events or conditions that are not reportable under this criterion. These examples add value in understanding the intent of the rule. Deletion of the examples information is a change that could lead to divergent interpretations of the criterion.	Do Not Agree	Appendix D of "Discussion of NUREG-1022 Changes" (ML11068A030) contains background information. For systems within scope, the inadvertent TS inoperability of a system in a required mode of applicability constitutes an event or condition for which there is no longer a reasonable expectation that equipment can fulfill its safety function. Therefore, such events or conditions are reportable as an "Event or Condition that Could Have Prevented Fulfillment of a Safety Function." This is not considered a new staff position in that the position is already documented and not considered to be in conflict with either the rule or the FRN. The "examples" removed contained discussions pertinent to RIS 2005-20. Although the current discussions in NUREG-1022, rev 2 and RIS 2005-20 are similar, there have been opinions presented that both discussions are different. This has led to inconsistent reporting. By removing duplicate discussions in NUREG-1022, the guidance will become clearer in that inadvertent TS system inoperabilities are reportable. RIS 2005-20 can be utilized for operability determination guidance.
1	External	Nuclear Energy Institute (NEI)	ML11342A057 ML11353A269	Attachment 1	TS system inoperabilities with regards to "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	The paragraph on random single failures was deleted and no regulatory analysis was provided. This change will have a large impact on the reportability of events and is not justified based upon the risk significance of the resulting conditions. For example, most BWRs have HPCI which is a single train safety system. Therefore, HPCI would always be failed and require a report under the draft guidance if an additional random single failure has to always be assumed.	Do Not Agree	Regulatory analysis was not required, but performed to document why clarification was made given industry difference of opinion. Recommend leaving regulatory analysis as is or deleting discussion in regulatory analysis. "Discussion of NUREG-1022 Changes" contains adequate background for why changes are clarifications vice changes in position. In addition, Appendix D of "Discussion of NUREG-1022 Changes" (ML11068A030) contains background information. For systems within scope, the inadvertent TS inoperability of a system in a required mode of applicability constitutes an event or condition for which there is no longer a reasonable expectation that equipment can fulfill its safety function. Therefore, such events or conditions are reportable as an "Event or Condition that Could Have Prevented Fulfillment of a Safety Function." This is not considered a new staff position in that the position is already documented and not considered to be in conflict with either the rule or the FRN. The "examples" removed contained discussions pertinent to RIS 2005-20. Although the current discussions in NUREG-1022, rev 2 and RIS 2005-20 are similar, there have been opinions presented that both discussions are different. This has led to inconsistent reporting. By removing
3	External	PSEG Nuclear LLC	ML11347A428	N/A	TS system inoperabilities with regards to "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	The section incorporates the term of operability when the reporting requirements are focused on the fulfillment of the safety function. A component in a system may be declared inoperable due to failure to meet the surveillance requirement (SR) acceptance criteria; however, the SR acceptance criteria frequently has margin to the values credited in the plant's safety analysis. If the component is still capable of providing the function relied upon in the plant's safety analysis, even though the component was declared inoperable for failing to meet the SR acceptance criteria, the component is still capable of fulfilling its safety function.	Do Not Agree	Appendix D of "Discussion of NUREG-1022 Changes" (ML11068A030) contains background information. For systems within scope, the inadvertent TS inoperability of a system in a required mode of applicability constitutes an event or condition for which there is no longer a reasonable expectation that equipment can fulfill its safety function. Therefore, such events or conditions are reportable as an "Event or Condition that Could Have Prevented Fulfillment of a Safety Function." This is not considered a new staff position in that the position is already documented and not considered to be in conflict with either the rule or the FRN.

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4	External	Regional Utility Group IV	ML11350A1132	N/A	TS system inoperabilities with regards to "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	The proposed changes associated with "capable of fulfillment of a safety function" and "systems within scope" clearly expand the scope of reporting beyond that originally intended. The effect of these changes will be to require reporting of some conditions that would not have prevented fulfillment of system function.	Partial Agreement	Appendix C of "Discussion of NUREG-1022 Changes" (ML11068A030) contains historical background on systems within scope. NUREG-1022 has been inconsistent with guidance on systems within scope over the course of 30 years. NUREG-1022, Revision 2 currently contains two positions on systems within scope. One position is consistent with the FRN, while the other is not. Draft NUREG-1022 took a new position that is inconsistent with the FRN and most recent guidance (RIS 2001-14). Recommend revising NUREG-1022 to be consistent with FRN (i.e. systems within scope are safety related systems required for accident mitigation). With regards to inadvertent system inoperabilities being reportable, Appendix D of "Discussion of NUREG-1022 Changes" (ML11068A030) contains background information. For systems within scope, the inadvertent TS inoperability of a system in a required mode of applicability constitutes an event or condition for which there is no longer a reasonable expectation that equipment can fulfill its safety function. Therefore, such events or conditions are reportable as an "Event or Condition that Could Have Prevented Fulfillment of a Safety Function." This is not considered a new staff position.
4	External	Regional Utility Group IV	ML11350A1132	N/A	TS system inoperabilities with regards to "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	This expansion of requirements should be accompanied by a regulatory analysis that fully justifies the safety benefit of the change and the impact on other regulatory processes, such as the Reactor Oversight Process Performance indicator that is based on safety system functional failures.	Do Not Agree	Regulatory analysis was not required, but performed to document why clarification was made given industry difference of opinion. Recommend leaving regulatory analysis as is or deleting discussion in regulatory analysis. "Discussion of NUREG-1022 Changes" contains adequate background for why changes are clarifications vice changes in position. In addition, Appendix D of "Discussion of NUREG-1022 Changes" (ML11068A030) contains background information. For systems within scope, the inadvertent TS inoperability of a system in a required mode of applicability constitutes an event or condition for which there is no longer a reasonable expectation that equipment can fulfill its safety function. Therefore, such events or conditions are reportable as an "Event or Condition that Could Have Prevented Fulfillment of a Safety Function." This is not considered a new staff position in that the position is already documented and not considered to be in conflict with either the rule or the FRN. The "examples" removed contained discussions pertinent to RIS 2005-20. Although the current discussions in NUREG-1022, rev 2 and RIS 2005-20 are similar, there have been opinions presented that both discussions are different. This has led to inconsistent reporting. By removing
5	External	Tennessee Valley Authority (TVA)	ML11350A108	N/A	TS system inoperabilities with regards to "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	The paragraph on random single failures was deleted and no regulatory analysis was provided. Removing this paragraph could greatly expand the scope of conditions that could be considered reportable. Recommend a regulatory analysis for the removal of this paragraph	Do Not Agree	Regulatory analysis was not required, but performed to document why clarification was made given industry difference of opinion. Recommend leaving regulatory analysis as is or deleting discussion in regulatory analysis. "Discussion of NUREG-1022 Changes" contains adequate background for why changes are clarifications vice changes in position. In addition, Appendix D of "Discussion of NUREG-1022 Changes" (ML11068A030) contains background information. For systems within scope, the inadvertent TS inoperability of a system in a required mode of applicability constitutes an event or condition for which there is no longer a reasonable expectation that equipment can fulfill its safety function. Therefore, such events or conditions are reportable as an "Event or Condition that Could Have Prevented Fulfillment of a Safety Function." This is not considered a new staff position in that the position is already documented and not considered to be in conflict with either the rule or the FRN. The "examples" removed contained discussions pertinent to RIS 2005-20. Although the current discussions in NUREG-1022, rev 2 and RIS 2005-20 are similar, there have been opinions presented that both discussions are different. This has led to inconsistent reporting. By removing duplicate discussions in NUREG-1022, the guidance will become clearer in that inadvertent TS system inoperabilities are reportable.

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7	External	South Carolina Electric & Gas	ML11353A408	N/A	TS system inoperabilities with regards to "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Section 3.2.7 - page 60: The example events that are not reportable have been deleted with no explanation. The basis for this and new examples should be given.	Agree	Appendix D of "Discussion of NUREG-1022 Changes" (ML11068A030) contains background information. For systems within scope, the inadvertent TS inoperability of a system in a required mode of applicability constitutes an event or condition for which there is no longer a reasonable expectation that equipment can fulfill its safety function. Therefore, such events or conditions are reportable as an "Event or Condition that Could Have Prevented Fulfillment of a Safety Function." This is not considered a new staff position in that the position is already documented and not considered to be in conflict with either the rule or the FRN. The "examples" removed contained discussions pertinent to RIS 2005-20. Although the current discussions in NUREG-1022, rev 2 and RIS 2005-20 are similar, there have been opinions presented that both discussions are different. This has led to inconsistent reporting. By removing duplicate discussions in NUREG-1022, the guidance will become clearer in that inadvertent TS system inoperabilities are reportable. RIS 2005-20 can be utilized for operability determination guidance. The basis for removal of the "examples" can be made clearer upon publication of the final NUREG (i.e. via
9	External	FirstEnergy Nuclear Operating Company (FENOC)	ML11353A410	N/A	TS system inoperabilities with regards to "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	NUREG-1 022, Revision 3, Section 3.2.7, "Event or Condition that Could Have Prevented Fulfillment of a Safety Function," should also be revised to exclude the trip of a manual system, if the system is promptly restarted. In this case, there is no loss of function that contributes to a reduction of safety significance; therefore, it should not be reportable as an event or condition that could have prevented fulfillment of a safety function. An example of this is decay heat removal, which at many sites is a manual system. If one train trips, and decay heat removal is promptly restored, it should not be considered to be a "loss" of a safety function.	Do Not Agree	Although RHR is mentioned by the commentator, the NRC's response is directed at the comment to exclude short losses due to manual trip that are promptly restored. Inadvertent losses are reportable regardless of the length of time if the loss or the manner in which it occurred. The FRN (48 FRN 33854) for the rule states, "The event must be reported regardless of the situation or condition that caused the structure or systems to be unavailable,..." Appendix D of "Discussion of NUREG-1022 Changes" (ML11068A030) contains additional information. For systems within scope, the inadvertent TS inoperability of a system in a required mode of applicability constitutes an event or condition for which there is no longer a reasonable expectation that equipment can fulfill its safety function. Therefore, such events or conditions are reportable as an "Event or Condition that Could Have Prevented Fulfillment of a Safety Function." This is not considered a new staff position in that the position is already documented and not considered to be in conflict with either the rule or the FRN.
9	External	FirstEnergy Nuclear Operating Company (FENOC)	ML11353A410	N/A	TS system inoperabilities with regards to "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	One specific example that introduces a large uncertainty in the impact of the change of the guidance is the removal of the current language from Section 3.2.7 that states that "[i]n determining the reportability of an event or condition that affects a system, it is not necessary to assume an additional random single failure in that system." That deletion itself introduces enough uncertainty to make an accurate impact assessment in the regulatory analysis virtually impossible. Additionally, the deletion of this sentence will lead to regulatory uncertainty; therefore, it should be retained.	Partial Agreement	Appendix D of "Discussion of NUREG-1022 Changes" (ML11068A030) contains background information. For systems within scope, the inadvertent TS inoperability of a system in a required mode of applicability constitutes an event or condition for which there is no longer a reasonable expectation that equipment can fulfill its safety function. Therefore, such events or conditions are reportable as an "Event or Condition that Could Have Prevented Fulfillment of a Safety Function." This is not considered a new staff position in that the position is already documented and not considered to be in conflict with either the rule or the FRN. The "examples" removed contained discussions pertinent to RIS 2005-20. Although the current discussions in NUREG-1022, rev 2 and RIS 2005-20 are similar, there have been opinions presented that both discussions are different. This has led to inconsistent reporting. By removing duplicate discussions in NUREG-1022, the guidance will become clearer in that inadvertent TS system inoperabilities are reportable. RIS 2005-20 can be utilized for operability determination guidance (and does not require assumption of an additional random single failure). The basis for removal of the "examples" can be made clearer upon publication of the final NUREG (i.e. via the FRN or a discussion of change document).

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9	External	FirstEnergy Nuclear Operating Company (FENOC)	ML11353A410	N/A	TS system inoperabilities with regards to "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Regulatory guide in inadequate. It is impossible to estimate the impact with any accuracy. Recent LERs from a few sites have been reviewed and the number of reports that will be made under this criterion is expected to approximately double. In addition, it is expected that many of these additional LERs will discuss systems that are not credited in the accident analysis and will be able to perform their intended function.	Partial Agreement	Agree with comment regarding systems within scope. Regarding Operability aspect, regulatory analysis was not required, but performed to document why clarification was made given industry difference of opinion. Recommend leaving regulatory analysis as is or deleting discussion in regulatory analysis. "Discussion of NUREG-1022 Changes" contains adequate background for why changes are clarifications vice changes in position. In addition, Appendix D of "Discussion of NUREG-1022 Changes" (ML11068A030) contains background information. For systems within scope, the inadvertent TS inoperability of a system in a required mode of applicability constitutes an event or condition for which there is no longer a reasonable expectation that equipment can fulfill its safety function. Therefore, such events or conditions are reportable as an "Event or Condition that Could Have Prevented Fulfillment of a Safety Function." This is not considered a new staff position in that the position is already documented and not considered to be in conflict with either the rule or the FRN.
10	External	Entergy	ML11353A411	N/A	TS system inoperabilities with regards to "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Of specific concern are the changes to the reporting requirements of 10 CFR 50.72(b)(3)(v), 50.72(b)(3)(vi), 50.73(a)(2)(v), and 50.73(a)(2)(vi). These changes, if implemented, will have the effect of requiring licensees to report events or conditions as a "loss of safety function" where the event or condition would not impact systems which have a safety function and where no function is lost (safety or non-safety).	Do Not Agree	Appendix D of "Discussion of NUREG-1022 Changes" (ML11068A030) contains background information. For systems within scope, the inadvertent TS inoperability of a system in a required mode of applicability constitutes an event or condition for which there is no longer a reasonable expectation that equipment can fulfill its safety function. Therefore, such events or conditions are reportable as an "Event or Condition that Could Have Prevented Fulfillment of a Safety Function." This is not considered a new staff position in that the position is already documented and not considered to be in conflict with either the rule or the FRN.
12	External	South Texas Project (STP) Nuclear Operating Company	ML12005A210	N/A	TS system inoperabilities with regards to "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	STPNOC shares the concern that because of the expanded list of systems to be considered in scope and the inclusion of "inoperable" systems, the proposed changes would result in a significant increase in the reporting of Safety System Functional Failures (as discussed in the proposed changes to NUREG-1022, Section 3.2.7), when in many cases there would be no loss of the ability to provide the required safety function.	Partial Agreement	Appendix C of "Discussion of NUREG-1022 Changes" (ML11068A030) contains historical background on systems within scope. NUREG-1022 has been inconsistent with guidance on systems within scope over the course of 30 years. NUREG-1022, Revision 2 currently contains two positions on systems within scope. One position is consistent with the FRN, while the other is not. Draft NUREG-1022 took a new position that is inconsistent with the FRN and most recent guidance (RIS 2001-14). Recommend revising NUREG-1022 to be consistent with FRN (i.e. systems within scope are safety related systems required for accident mitigation). With regards to inadvertent system inoperabilities being reportable, Appendix D of "Discussion of NUREG-1022 Changes" (ML11068A030) contains background information. For systems within scope, the inadvertent TS inoperability of a system in a required mode of applicability constitutes an event or condition for which there is no longer a reasonable expectation that equipment can fulfill its safety function. Therefore, such events or conditions are reportable as an "Event or Condition that Could Have Prevented Fulfillment of a Safety Function." This is not considered a new staff position.
13	External	Strategic Teaming and Resource Sharing (STARS) alliance	ML12006A205	N/A	TS system inoperabilities with regards to "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	The proposed changes would result in a significant increase in reporting of Safety System Functional Failures (SSFFs) (i.e., Section 3.2.7, "Event or Condition that Could Have Prevented Fulfillment of a Safety Function"), when, in many of the cases, there was no loss of safety function. This increase in reporting is due to an expanded list of systems to be considered in scope, as well as, the inclusion of all "inoperable" systems. Currently, inoperable systems within scope are reported as SSFFs only if the safety function is lost. For example, a safety system may not meet requirements of Technical Specifications due to failure to meet a surveillance requirement (i.e., Surveillance Requirement of 3000 gpm vs. 2900 actual gpm) but may still be capable of performing its credited safety function (i.e., 2900 gpm credited in the safety analysis). In this example, the credited safety function is met, but under the proposed change the condition would be classified as a loss of safety function and would be reportable.	Partial Agreement	Agree with comment regarding systems within scope. Regarding Operability aspect, Appendix D of "Discussion of NUREG-1022 Changes" contains adequate background for why changes are clarifications vice changes in position. In addition, Appendix D of "Discussion of NUREG-1022 Changes" (ML11068A030) contains background information. For systems within scope, the inadvertent TS inoperability of a system in a required mode of applicability constitutes an event or condition for which there is no longer a reasonable expectation that equipment can fulfill its safety function. Therefore, such events or conditions are reportable as an "Event or Condition that Could Have Prevented Fulfillment of a Safety Function." This is not considered a new staff position in that the position is already documented and not considered to be in conflict with either the rule or the FRN.

Letter #	Int / Ext	Source	ADAMS	Location in Comment	Topic	Comment	Agree / Disagree	Basis / Discussion / Recommendation
N/A	Internal	HOO	N/A	3	TS system inoperabilities with regards to "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Many of the specific examples that were very helpful on determining when a 50.72 report is required are being removed from revision 3. Sections 3.2.7 for example. I believe this could result in lack of clarity rather than clarification.	Do Not Agree	Appendix D of "Discussion of NUREG-1022 Changes" (ML11068A030) contains background information. For systems within scope, the inadvertent TS inoperability of a system in a required mode of applicability constitutes an event or condition for which there is no longer a reasonable expectation that equipment can fulfill its safety function. Therefore, such events or conditions are reportable as an "Event or Condition that Could Have Prevented Fulfillment of a Safety Function." This is not considered a new staff position in that the position is already documented and not considered to be in conflict with either the rule or the FRN. The "examples" removed contained discussions pertinent to RIS 2005-20. Although the current discussions in NUREG-1022, rev 2 and RIS 2005-20 are similar, there have been opinions presented that both discussions are different. This has led to inconsistent reporting. By removing duplicate discussions in NUREG-1022, the guidance will become clearer in that inadvertent TS system inoperabilities are reportable. RIS 2005-20 can be utilized for operability determination guidance.

Subject of Comment	Comment Source	Comment Letter Number	Location in Comment Letter	ADAMS Accession Number	Synopsis of Comment (see letter for detailed comments)	Agree / Disagree	Basis / Discussion
Administrative	Progress Energy	6	N/A	ML11350A109	Example 1 in Section 3.2.13, "Loss of Emergency Preparedness Capabilities" contains a grammatical error.	Agree	Grammatical error corrected.
Administrative	Progress Energy	6	N/A	ML11350A109	Example 10 in Section 3.2.7 references the wrong reporting criteria.	Agree	Grammatical error corrected.
Degraded and Unanalyzed Conditions	South Texas Project (STP) Nuclear Operating Company	12	N/A	ML12005A210	The term "significantly degrades /degraded plant safety" contained in the reportability criteria of 50.72(b)(3)(ii) and 50.73(a)(2)(ii)(B) is not defined. Providing a definition for this term would aid licensees in providing consistent reporting of events or conditions with safety significance.	Partial Agreement	While it is agreed that the example on "events that involve functionally related components or that significantly compromise plant safety" is unclear, there are other reporting criteria that have similar considerations and provide more clearer guidance (i.e. Declaration of an Emergency Class, Events or Conditions that Could Have Prevented Fulfillment of a Safety Function, Common Cause Inoperability of Independent Trains or Channels, etc). Attempting to clarify the term at this point in the process would result in significant delay of NUREG-1022 issuance. If there is a desire to clarify what constitutes "events that involve functionally related components or that significantly compromise plant safety," the NRC can work with stakeholders in the future to resolve.
Deletion of Part 21 Reporting Guidance	Nuclear Energy Institute (NEI)	1	Attachment 2 Discussion 5	ML11342A057 ML11353A269	Regulatory analysis is inadequate in that none was presented.	Do Not Agree	Regulatory analysis on removal of Part 21 discussions is not required since the current NRC requirements and staff positions have not changed (i.e. stakeholders can use positions found in 10 CFR 21 FRN and NUREG-1022, Revision 2 while NRC determines course of action associated with Part 21).
Deletion of Part 21 Reporting Guidance	FirstEnergy Nuclear Operating Company (FENOC)	9	N/A	ML11353A410	Section 5.1.8, "10 CFR Part 21 Reports", has been deleted in its entirety. This section provided guidance consistent with the regulations and supporting statements of consideration. The proposed deletion of this section will create a vacuum of guidance.	Partial Agreement	This section has been deleted because the NRC staff is currently in the process of clarifying 10 CFR Part 21 reporting requirements via other guidance documents. Until such guidance documents are issued, the current NRC requirements and staff positions will remain in effect.
Deletion of Part 21 Reporting Guidance	Nuclear Energy Institute (NEI)	1	Attachment 2 Discussion 5	ML11342A057 ML11353A269	Deletion of Section 5.1.8, "10 CFR Part 21 Reports," will result in no guidance being available for defect reporting.	Partial Agreement	This section has been deleted because the NRC staff is currently in the process of clarifying 10 CFR Part 21 reporting requirements via other guidance documents. Until such guidance documents are issued, the current NRC requirements and staff positions will remain in effect.
Deletion of Part 21 Reporting Guidance	Regional Utility Group IV	4	N/A	ML11350A113 2	Removal of the guidance regarding 10 CFR 21 reporting reduces clarity and will likely create confusion and duplicate evaluations and reporting.	Partial Agreement	This section has been deleted because the NRC staff is currently in the process of clarifying 10 CFR Part 21 reporting requirements via other guidance documents. Until such guidance documents are issued, the current NRC requirements and staff positions will remain in effect.
Deletion of Part 21 Reporting Guidance	South Carolina Electric & Gas	7	N/A	ML11353A408	Based on 10 CFR 21.2(c), NUREG 1022 should include guidance on making Part 21 notifications and reports.	Partial Agreement	This section has been deleted because the NRC staff is currently in the process of clarifying 10 CFR Part 21 reporting requirements via other guidance documents. Until such guidance documents are issued, the current NRC requirements and staff positions will remain in effect.
Deletion of Part 21 Reporting Guidance	Southern Company	14	N/A	ML12023A039	Removed any reference to Part 21. This will result in a departure from the industry interpretation.	Partial Agreement	This section has been deleted because the NRC staff is currently in the process of clarifying 10 CFR Part 21 reporting requirements via other guidance documents. Until such guidance documents are issued, the current NRC requirements and staff positions will remain in effect.

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Deletion of Part 21 Reporting Guidance	Strategic Teaming and Resource Sharing (STARS) alliance	13	N/A	ML12006A205	The proposed NUREG-1022 draft deleted the entire section on Part 21 reporting. This will make NUREG- 1022 inconsistent with NRC supporting statements accompanying the 1991 revision of Part 21.	Partial Agreement	This section has been deleted because the NRC staff is currently in the process of clarifying 10 CFR Part 21 reporting requirements via other guidance documents. Until such guidance documents are issued, the current NRC requirements and staff positions will remain in effect.
General	Nuclear Energy Institute (NEI)	1	Attachment 1	ML11342A057 ML11353A269	Section 4.1, "Emergency Notification System," refers to tapes that are saved for one month in case there is a public or private inquiry. This section should be update to credit modern technology or reflect any different methods NRC may be using.	Agree	Section updated.
General	Nuclear Energy Institute (NEI)	1	Attachment 1	ML11342A057 ML11353A269	Section 5.2, "Licensee Event Reports" should be update to credit modern technology.	Agree	Section updated.
General	Entergy	10	N/A	ML11353A411	Endorses NEI comments.	N/A	NRC acknowledges endorsement of NEI comments.
General	FirstEnergy Nuclear Operating Company (FENOC)	9	N/A	ML11353A410	Endorses NEI comments.	N/A	NRC acknowledges endorsement of NEI comments.
General	Florida Power and Light Company (FPL) & NextEra Energy	2	N/A	ML11343A027	Endorses NEI comments.	N/A	NRC acknowledges endorsement of NEI comments.
General	Progress Energy	6	N/A	ML11350A109	Endorses NEI comments.	N/A	NRC acknowledges endorsement of NEI comments.
General	PSEG Nuclear LLC	3	N/A	ML11347A428	Endorses NEI comments.	N/A	NRC acknowledges endorsement of NEI comments.
General	Regional Utility Group I	8	N/A	ML11353A409	Endorses NEI comments.	N/A	NRC acknowledges endorsement of NEI comments.
General	Regional Utility Group IV	4	N/A	ML11350A113 2	Endorses NEI comments.	N/A	NRC acknowledges endorsement of NEI comments.
General	South Texas Project (STP) Nuclear Operating Company	12	N/A	ML12005A210	Endorses NEI comments.	N/A	NRC acknowledges endorsement of NEI comments.
General	Southern Company	14	N/A	ML12023A039	Endorses NEI comments.	N/A	NRC acknowledges endorsement of NEI comments.
General	Strategic Teaming and Resource Sharing (STARS) alliance	13	N/A	ML12006A205	Endorses NEI comments.	N/A	NRC acknowledges endorsement of NEI comments.
General	Tennessee Valley Authority (TVA)	5	N/A	ML11350A108	Endorses NEI comments.	N/A	NRC acknowledges endorsement of NEI comments.
General	Strategic Teaming and Resource Sharing (STARS) alliance	13	N/A	ML12006A205	The Regulatory Analysis associated with the proposed changes significantly underestimates the regulatory burden associated with the changes.	Partial Agreement	The draft position regarding systems within scope of "Events or Conditions that could have Prevented Fulfillment of a Safety Function" is no longer being considered. The final position is revised to be consistent with the FRN of the rule. As a result, for many positions, the regulatory analysis is voluntary and provides a complete disclosure of the relevant information supporting decisions associated with changes found in NUREG-1022, Revision 3.
Historical Reporting Under 50.72	Nuclear Energy Institute (NEI)	1	Attachment 2 Discussion 1	ML11342A057 ML11353A269	Section 2.2, "Differences in Tense between 10 CFR 50.72 and 50.73" is still confusing with regards to guidance on historical reports under 50.72. Recommend adding more specific information in each subsection of Section 3.2 "Specific Reporting Criteria."	Agree	More specific information added in each subsection of Section 3.2 "Specific Reporting Criteria." Focus is on reporting historical "Degraded or Unanalyzed Conditions."
Historical Reporting Under 50.72	Nuclear Energy Institute (NEI)	1	Attachment 1	ML11342A057 ML11353A269	Section 2.5, "Time Limits for Reporting." Proposed change can cause confusion with regards to when 50.72 notification time begins.	Agree	Proposed change discussing 50.72/50.73 in same paragraph has been deleted.

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Historical Reporting Under 50.72	Tennessee Valley Authority (TVA)	5	N/A	ML11350A108	Recommend that if clarification is required, that each section of NUREG-1022 that addresses a reporting rule with an associated 10 CFR 50.72 notification clearly indicates NRC's position regarding the need for ENS notification for discovered events or conditions that no longer exist at the time of discovery.	Agree	More specific information added in each subsection of Section 3.2 "Specific Reporting Criteria." Focus is on reporting historical "Degraded or Unanalyzed Conditions."
Historical Reporting Under 50.72	FirstEnergy Nuclear Operating Company (FENOC)	9	N/A	ML11353A410	Section 2.2, "Differences in Tense between 10 CFR 50.72 and 50.73" requires an ENS notification even if the discovered condition no longer exists. Given that the primary purposes for ENS notifications are to allow NRC to determine whether immediate response is needed to ongoing events and to keep stakeholders apprised of emerging events, its questionable why this guidance is needed as it does not accomplish either of those purposes.	Do Not Agree	Appendix A of "Discussion of NUREG-1022 Changes" contains basis. 50.72(a)(1)(ii) contains specific requirements which are further discussed in the FRN and ACRS briefings.
Historical Reporting Under 50.72	Nuclear Energy Institute (NEI)	1	Attachment 2 Discussion 1	ML11342A057 ML11353A269	Based on wording in rule (i.e. use of present tense in each specific 50.72 reporting criteria & 50.72(b)(3)(v)), is an NRC change in position (i.e. historic events not on-going at time of discovery should not be reportable under 50.72).	Do Not Agree	Appendix A of "Discussion of NUREG-1022 Changes" contains basis. 50.72(a)(1)(ii) contains specific requirements which are further discussed in the FRN and ACRS briefings.
Historical Reporting Under 50.72	Nuclear Energy Institute (NEI)	1	Attachment 2 Discussion 1	ML11342A057 ML11353A269	Regulatory analysis is inadequate in that it does not address the tense issues and it does not provide any discussion of potential impact or burden imposed by this change.	Do Not Agree	The regulatory analysis is voluntary and provides a complete disclosure of the relevant information supporting decisions associated with changes found in NUREG-1022, Revision 3.
Historical Reporting Under 50.72	South Carolina Electric & Gas	7	N/A	ML11353A408	Section 2.2 now contains a requirement to report past events under 50.72, as well as 50.73. This will require Operators (in some instances) to report some items in the 50.72 time frames, even though the event is not ongoing. There is no added safety benefit to this added burden.	Do Not Agree	Appendix A of "Discussion of NUREG-1022 Changes" contains basis. 50.72(a)(1)(ii) contains specific requirements which are further discussed in the FRN and ACRS briefings.
Historical Reporting Under 50.72	Strategic Teaming and Resource Sharing (STARS) alliance	13	N/A	ML12006A205	Proposed changes to the guidance for 10 CFR 50.72 will now require telephonic reporting of events at the time of discovery even if the event is no longer ongoing at the time of discovery. There is little value in making phone calls for an event that has terminated when the event still requires a written report.	Do Not Agree	Appendix A of "Discussion of NUREG-1022 Changes" contains basis. 50.72(a)(1)(ii) contains specific requirements which are further discussed in the FRN and ACRS briefings.
Historical Reporting Under 50.72	Tennessee Valley Authority (TVA)	5	N/A	ML11350A108	Recommend the regulatory analysis for NUREG-1022 Revision 3 should discuss the basis for the change, justify the need for the change, properly assess the impact of the change, and compare the safety benefits of the change to the newly imposed regulatory burden associated with the change.	Do Not Agree	Appendix A of "Discussion of NUREG-1022 Changes" contains basis. 50.72(a)(1)(ii) contains specific requirements which are further discussed in the FRN and ACRS briefings.
Historical Reporting Under 50.72	Tennessee Valley Authority (TVA)	5	N/A	ML11350A108	Reporting of historical events is a change that is inconsistent with the previously stated purposes for ENS notifications, which are to allow NRC to determine whether immediate response is needed to ongoing events and to keep external stakeholders apprised of emerging events.	Do Not Agree	Appendix A of "Discussion of NUREG-1022 Changes" contains basis. 50.72(a)(1)(ii) contains specific requirements which are further discussed in the FRN and ACRS briefings.
Historical Reporting Under 50.72	Nuclear Energy Institute (NEI)	1	Attachment 2 Discussion 1	ML11342A057 ML11353A269	Recommend a rule change to not require historic reporting of Degraded or Unanalyzed Conditions.	Partial Agreement	Consideration can be given to future rulemaking in 10 CFR 50.72 & 50.73 if desired.
Historical Reporting Under 50.72	Nuclear Energy Institute (NEI)	1	Attachment 1	ML11342A057 ML11353A269	Section 3.1.1, "Immediate Notifications," conflicts with Section 3.2.5, "External Threat or Hampering."	Partial Agreement	More specific information added in each subsection of Section 3.2 "Specific Reporting Criteria." Focus is on reporting historical "Degraded or Unanalyzed Conditions."
LCO 3.0.3 as an Operation or Condition Prohibited by TS	Southern Company	14	N/A	ML12023A039	Since the examples did not change, this added discussion is very confusing. Need an example to help explain added text.	Agree	Examples developed.

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LCO 3.0.3 as an Operation or Condition Prohibited by TS	Progress Energy	6	N/A	ML11350A109	Revision in Section 3.2.2, "Operation or Condition Prohibited by Technical Specifications," is confusing. The guidance for reporting if a condition is not corrected within 1 hour has been removed. This clarifying guidance was a useful example and should be restored.	Partial Agreement	Appendix B of "Discussion of NUREG-1022 Changes" contains basis for why change was implemented. Examples developed to minimize confusion.
Loss of Emergency Preparedness Capabilities	Progress Energy	6	N/A	ML11350A109	Last paragraph of Section 3.2.13, "Loss of Emergency Preparedness Capabilities" states that licensees should use the backup commercial telephone numbers provided in IN 85-44 and IN 86-97. Provide numbers in this section of NUREG.	Agree	Section updated.
Loss of Emergency Preparedness Capabilities	Nuclear Energy Institute (NEI)	1	Attachment 1	ML11342A057 ML11353A269	Section 3.2.13, "Loss of Emergency Preparedness Capabilities." If the ability to perform the Emergency Response Facility function is always maintained, then there is no major loss regardless of the time period that the condition exists (i.e. no need for 72 hour limit).	Do Not Agree	Given that the maintenance is planned, limiting the time out of service will help to ensure there is no potential reduction in the effectiveness of the emergency plan.
Loss of Emergency Preparedness Capabilities	Nuclear Energy Institute (NEI)	1	Attachment 1	ML11342A057 ML11353A269	Section 3.2.13, "Loss of Emergency Preparedness Capabilities." The loss of ERDS should not be a potential reportable condition since it would not affect the site emergency assessment capability.	Do Not Agree	A loss of ERDS may be reportable if there was a loss of ENS as well.
Loss of Emergency Preparedness Capabilities	Nuclear Energy Institute (NEI)	1	Attachment 3	ML11342A057 ML11353A269	Mark-up of Section 3.2.13, "Loss of Emergency Preparedness Capabilities," provided.	Partial Agreement	NSIR has provided responses to section on "Loss of Emergency Preparedness Capabilities." Main disagreements with external stakeholders relate to external comments to 1) taking a generalized approach to emergency siren loss, systems within scope for consideration, and allowances for preplanned maintenance.
News Release or Notification of Other Government Agency	Southern Company	14	N/A	ML12023A039	Page 26, (Section 2.5, "Time Limits for Reporting") states "Accordingly, it makes sense..." "Sense" is very subjective. Suggest to just state "Accordingly, provide the report..."	Agree	Discussion reflects guidance is request and not regulatory requirement. Discussion also moved to section 3.2.12, "News Release or Notification of Other Government Agency."
Operation or Condition Prohibited by TS	South Texas Project (STP) Nuclear Operating Company	12	N/A	ML12005A210	STPNOC proposes that NUREG-1022, Section 3.2.2, "Operation or Condition Prohibited by Technical Specifications," be clarified such that missed conditional Surveillance Requirements listed in Action Statements that are subsequently performed successfully can be treated as another example of a non-reportable TS violation for a missed surveillance.	Do Not Agree	The rule and the FRN {2000 SOC (65 FR 63777 [comment S], and 65 FR 63779 [third column] through 65 FR 63780 [first column])} are clear that exemptions are allowed only if "the event consisted solely of a case of a late surveillance test where the oversight was corrected, the test was performed, and the equipment was found to be capable of performing its specified safety functions." If a licensee is already in an Action Statement not solely as a result of a late SR, it is because an SSC has other operability related issues. This would not constitute a situation in which equipment was inoperable solely due to a late surveillance.
Phase in Period / Enforcement Considerations	FirstEnergy Nuclear Operating Company (FENOC)	9	N/A	ML11353A410	With the issuance of the final NUREG-1022 Revision 3, NRC should consider providing detailed guidance regarding how reportability should be handled for events or conditions that may have occurred up to 3 years prior to the effective date of the issuance.	Agree	NUREG-1022, Revision 2, contains guidelines that the NRC staff currently considers acceptable for use in meeting the event reporting requirements for operating nuclear power reactors. The FRN will indicate that NUREG-1022, Revision 3 will become effective 7/1/2013. Upon implementation, for newly discovered events or conditions (whether on-going or that may have occurred within the prior 3 years), NUREG-1022, Revision 3, will contain guidelines that the NRC staff will consider acceptable for use in meeting the event reporting requirements for operating nuclear power reactors.

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Phase in Period / Enforcement Considerations	Tennessee Valley Authority (TVA)	5	N/A	ML11350A108	Recommend that implementation guidance on reportability should clearly indicate that NUREG-1022, Revision 3 is effective in a forward-looking manner and that there is no need for licensees to undertake "look-back" reviews for previously reported discovered conditions to reassess those past events or conditions under the new guidelines.	Agree	NUREG-1022, Revision 2, contains guidelines that the NRC staff currently considers acceptable for use in meeting the event reporting requirements for operating nuclear power reactors. The FRN will indicate that NUREG-1022, Revision 3 will become effective 7/1/2013. Upon implementation, for newly discovered events or conditions (whether on-going or that may have occurred within the prior 3 years), NUREG-1022, Revision 3, will contain guidelines that the NRC staff will consider acceptable for use in meeting the event reporting requirements for operating nuclear power reactors.
Phase in Period / Enforcement Considerations	Tennessee Valley Authority (TVA)	5	N/A	ML11350A108	Recommend that NRC provide an implementation period (90 days) for the NUREG-1022, Revision 3 that allows for necessary actions (e.g., operator training) to be, accomplished by a well structured change management plan.	Agree	NUREG-1022, Revision 3 will become effective 7/1/2013.
Phase in Period / Enforcement Considerations	Tennessee Valley Authority (TVA)	5	N/A	ML11350A108	Recommend that NRC provide detailed guidance to address how reportability should be handled for events or conditions that may have occurred up to 3 years prior to the effective date of the issuance of NUREG-1022, Revision 3.	Agree	NUREG-1022, Revision 2, contains guidelines that the NRC staff currently considers acceptable for use in meeting the event reporting requirements for operating nuclear power reactors. The FRN will indicate that NUREG-1022, Revision 3 will become effective 7/1/2013. Upon implementation, for newly discovered events or conditions (whether on-going or that may have occurred within the prior 3 years), NUREG-1022, Revision 3, will contain guidelines that the NRC staff will consider acceptable for use in meeting the event reporting requirements for operating nuclear power reactors.
Plant Shutdown Required by TS	Nuclear Energy Institute (NEI)	1	Attachment 2 Discussion 2	ML11342A057 ML11353A269	Revision to Example 3 in Section 3.2.1, "Plant Shutdown Required by Technical Specifications," is an NRC change in position.	Agree	The current position on "expected inability to restore equipment prior to exceeding the LCO action time" does not refer to the manner in which the restoration is performed. If equipment is restored (or there is an expectation that it can be restored) within the stated time period, then a report is not required under this criterion, regardless of the manner in which the restoration is performed.
Plant Shutdown Required by TS	Nuclear Energy Institute (NEI)	1	Attachment 1	ML11342A057 ML11353A269	Section 3.2.1, "Plant Shutdown Required by Technical Specifications." Change to Example 3 conflicts with the NRC LER Workshop that occurred following rulemaking in 1983. Reference NUREG 1022 Supplement 1 page 3.	Agree	The current position on "expected inability to restore equipment prior to exceeding the LCO action time" does not refer to the manner in which the restoration is performed. If equipment is restored (or there is an expectation that it can be restored) within the stated time period, then a report is not required under this criterion, regardless of the manner in which the restoration is performed.
Plant Shutdown Required by TS	Nuclear Energy Institute (NEI)	1	Attachment 1	ML11342A057 ML11353A269	Section 3.2.1, "Plant Shutdown Required by Technical Specifications." Change to Example 3 will result in reports for those cases where the shutdown was not required by Technical Specifications.	Agree	The current position on "expected inability to restore equipment prior to exceeding the LCO action time" does not refer to the manner in which the restoration is performed. If equipment is restored (or there is an expectation that it can be restored) within the stated time period, then a report is not required under this criterion, regardless of the manner in which the restoration is performed.
Plant Shutdown Required by TS	Nuclear Energy Institute (NEI)	1	Attachment 2 Discussion 2	ML11342A057 ML11353A269	Regulatory analysis is inadequate in that it does not specifically recognize a change in position nor does it provide any analysis of the potential impact of the change in position.	Agree	Regulatory analysis not needed as proposed change is no longer being considered.

Subject of Comment	Comment Source	Comment Letter Number	Location in Comment Letter	ADAMS Accession Number	Synopsis of Comment (see letter for detailed comments)	Agree / Disagree	Basis / Discussion
System Actuations	FirstEnergy Nuclear Operating Company (FENOC)	9	N/A	ML11353A410	NUREG-1022, Revision 3, Section 3.2.6, "System Actuation," should be clarified to indicate that reporting of system actuations of emergency service water (ESW) systems that do not normally run, and serve as ultimate heat sinks is only required for those ESW systems which are specified in the plant's accident analysis or included in Technical Specifications.	Do Not Agree	The Federal Register Notice (FRN) associated with the 2000 rule has various discussions on this subject. As discussed in the FRN associated with the rule, the NRC's need to evaluate the event is independent of the classification of the system.
Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Entergy	10	N/A	ML11353A411	The regulatory analysis underestimates the impact of the change on plant resources by more than an order of magnitude.	Agree	The draft position regarding systems within scope of "Events or Conditions that could have Prevented Fulfillment of a Safety Function" is no longer being considered. The final position is revised to be consistent with the FRN of the rule. As a result, the regulatory analysis is updated to provide a complete disclosure of the relevant information supporting the decision.
Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Exelon	11	N/A	ML11361A433	There seems to be an increase in the scope of systems to be included under these reporting criteria and would imply the need to report a loss of safety function for systems which are not credited in the plant's accident analyses. This does not appear consistent with the original reporting requirements.	Agree	The draft position regarding systems within scope of "Events or Conditions that could have Prevented Fulfillment of a Safety Function" is no longer being considered. The final position is revised to be consistent with the FRN of the rule.
Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	FirstEnergy Nuclear Operating Company (FENOC)	9	N/A	ML11353A410	Changes in Section 3.2.7 conflict with the original intention of the associated rules. This comment is most applicable to the scope of SSCs covered by the rule.	Agree	The draft position regarding systems within scope of "Events or Conditions that could have Prevented Fulfillment of a Safety Function" is no longer being considered. The final position is revised to be consistent with the FRN of the rule.
Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Nuclear Energy Institute (NEI)	1	Attachment 2 Discussion 4	ML11342A057 ML11353A269	Is an NRC change in position. Systems within scope include only those that perform a safety function credited in the accident analysis.	Agree	The draft position regarding systems within scope of "Events or Conditions that could have Prevented Fulfillment of a Safety Function" is no longer being considered. The final position is revised to be consistent with the FRN of the rule.
Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Nuclear Energy Institute (NEI)	1	Attachment 2 Discussion 4	ML11342A057 ML11353A269	The proposed position is contrary to discussions found in the Statements of Consideration and RIS 2001-14. If this change is pursued it should be implemented with a revision to the wording of the rules.	Agree	The draft position regarding systems within scope of "Events or Conditions that could have Prevented Fulfillment of a Safety Function" is no longer being considered. The final position is revised to be consistent with the FRN of the rule.
Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Southern Company	14	N/A	ML12023A039	There is an increase in the scope of systems that were included in the original reporting requirements. Need to add clarity in regards to including support systems. The support systems should only be included if it is assumed in the plant's accident analysis to perform one of the four functions (A) through (D) specified in the rule. Sounds like this change is requiring cascading of TS.	Agree	The draft position regarding systems within scope of "Events or Conditions that could have Prevented Fulfillment of a Safety Function" is no longer being considered. The final position is revised to be consistent with the FRN of the rule.

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Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Tennessee Valley Authority (TVA)	5	N/A	ML11350A108	It appears that fundamental changes to the stated intention of any rule as reflected in the associated FRNs would appropriately be made by the rulemaking process.	Agree	The draft position regarding systems within scope of "Events or Conditions that could have Prevented Fulfillment of a Safety Function" is no longer being considered. The final position is revised to be consistent with the FRN of the rule.
Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Tennessee Valley Authority (TVA)	5	N/A	ML11350A108	The change goes beyond clarifying ambiguities and, rather, establishes a new position that differs with the original intention of the associated rules and long-held and long-understood positions regarding the intention of the rules.	Agree	The draft position regarding systems within scope of "Events or Conditions that could have Prevented Fulfillment of a Safety Function" is no longer being considered. The final position is revised to be consistent with the FRN of the rule.
Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	FirstEnergy Nuclear Operating Company (FENOC)	9	N/A	ML11353A410	Regulatory guide is inadequate. It is impossible to estimate the impact with any accuracy. Recent LERs from a few sites have been reviewed and the number of reports that will be made under this criterion is expected to approximately double. In addition, it is expected that many of these additional LERs will discuss systems that are not credited in the accident analysis and will be able to perform their intended function.	Agree	The draft position regarding systems within scope of "Events or Conditions that could have Prevented Fulfillment of a Safety Function" is no longer being considered. The final position is revised to be consistent with the FRN of the rule.
Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Nuclear Energy Institute (NEI)	1	Attachment 2 Discussion 4	ML11342A057 ML11353A269	Regulatory analysis is inadequate based on non conservative assumptions.	Agree	The draft position regarding systems within scope of "Events or Conditions that could have Prevented Fulfillment of a Safety Function" is no longer being considered. The final position is revised to be consistent with the FRN of the rule. As a result, the regulatory analysis is updated to provide a complete disclosure of the relevant information supporting the decision.
Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Regional Utility Group IV	4	N/A	ML11350A113 2	The proposed changes associated with "systems within scope" clearly expand the scope of reporting beyond that originally intended. The effect of these changes will be to require reporting of some conditions that would not have prevented fulfillment of system function.	Agree	The draft position regarding systems within scope of "Events or Conditions that could have Prevented Fulfillment of a Safety Function" is no longer being considered. The final position is revised to be consistent with the FRN of the rule. As a result, the regulatory analysis is updated to provide a complete disclosure of the relevant information supporting the decision.
Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Regional Utility Group IV	4	N/A	ML11350A113 2	This expansion of requirements should be accompanied by a regulatory analysis that fully justifies the safety benefit of the change and the impact on other regulatory processes, such as the Reactor Oversight Process Performance indicator that is based on safety system functional failures.	Agree	The draft position regarding systems within scope of "Events or Conditions that could have Prevented Fulfillment of a Safety Function" is no longer being considered. The final position is revised to be consistent with the FRN of the rule.
Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	South Texas Project (STP) Nuclear Operating Company	12	N/A	ML12005A210	STPNOC shares the concern that because of the expanded list of systems to be considered in scope, the proposed changes would result in a significant increase in the reporting of Safety System Functional Failures.	Agree	The draft position regarding systems within scope of "Events or Conditions that could have Prevented Fulfillment of a Safety Function" is no longer being considered. The final position is revised to be consistent with the FRN of the rule.

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Systems within scope of "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Strategic Teaming and Resource Sharing (STARS) alliance	13	N/A	ML12006A205	The proposed changes would result in a significant increase in reporting. This increase in reporting is partially due to an expanded list of systems to be considered in scope.	Agree	The draft position regarding systems within scope of "Events or Conditions that could have Prevented Fulfillment of a Safety Function" is no longer being considered. The final position is revised to be consistent with the FRN of the rule.
TS inoperability impact on "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	South Carolina Electric & Gas	7	N/A	ML11353A408	Section 3.2.7 - page 60: The example events that are not reportable have been deleted with no explanation. The basis for this and new examples should be given.	Agree	The "Discussion of NUREG-1022 Changes" now contains background information. The "examples" removed contained discussions pertinent to RIS 2005-20. RIS 2005-20 is referenced in NUREG-1022 and can continue to be utilized for guidance.
TS inoperability impact on "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Entergy	10	N/A	ML11353A411	These changes, if implemented, will have the effect of requiring licensees to report events or conditions as a "loss of safety function" where no function is lost (safety or non-safety).	Do Not Agree	Appendix D of "Discussion of NUREG-1022 Changes" contains background information. For systems within scope, the inadvertent TS inoperability of a system in a required mode of applicability constitutes an event or condition for which there is no longer a reasonable expectation that equipment can fulfill its safety function. Therefore, such events or conditions are reportable.
TS inoperability impact on "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	FirstEnergy Nuclear Operating Company (FENOC)	9	N/A	ML11353A410	NUREG-1022, Revision 3, Section 3.2.7, "Event or Condition that Could Have Prevented Fulfillment of a Safety Function," should be revised to exclude the trip of a manual system, if the system is promptly restarted.	Do Not Agree	Appendix D of "Discussion of NUREG-1022 Changes" contains background information. For systems within scope, the inadvertent TS inoperability of a system in a required mode of applicability constitutes an event or condition for which there is no longer a reasonable expectation that equipment can fulfill its safety function. Therefore, such events or conditions are reportable.
TS inoperability impact on "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Nuclear Energy Institute (NEI)	1	Attachment 2 Discussion 3	ML11342A057 ML11353A269	Regulatory analysis is inadequate. The draft removes a large section of existing language from the guidance that clarifies the intent of the criterion by examples. However, the regulatory analysis provides neither any analysis to justify the changes nor does it attempt to assess the potential impact(s) of the changes.	Do Not Agree	The regulatory analysis is voluntary and provides a complete disclosure of the relevant information supporting decisions associated with changes found in NUREG-1022, Revision 3. The "Discussion of NUREG-1022 Changes" now contains background information on why examples were deleted.
TS inoperability impact on "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Nuclear Energy Institute (NEI)	1	Attachment 2 Discussion 3	ML11342A057 ML11353A269	The draft removes detailed examples of the types of events or conditions that are not reportable under this criterion. These examples add value in understanding the intent of the rule. Deletion of the examples information is a change that could lead to divergent interpretations of the criterion.	Do Not Agree	The "Discussion of NUREG-1022 Changes" now contains background information. The "examples" removed contained discussions pertinent to RIS 2005-20. RIS 2005-20 is referenced in NUREG-1022 and can continue to be utilized for guidance.
TS inoperability impact on "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Nuclear Energy Institute (NEI)	1	Attachment 1	ML11342A057 ML11353A269	The paragraph on random single failures was deleted and no regulatory analysis was provided. This change will have a large impact on the reportability of events and is not justified.	Do Not Agree	The regulatory analysis is voluntary and provides a complete disclosure of the relevant information supporting decisions associated with changes found in NUREG-1022, Revision 3. The "Discussion of NUREG-1022 Changes" now contains background information on why examples were deleted.

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TS system inoperabilities with regards to "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	PSEG Nuclear LLC	3	N/A	ML11347A428	The section incorporates the term of operability when the reporting requirements are focused on the fulfillment of the safety function. A component in a system may be declared inoperable and still be capable of providing the function relied upon in the plant's safety analysis.	Do Not Agree	Appendix D of "Discussion of NUREG-1022 Changes" contains background information. For systems within scope, the inadvertent TS inoperability of a system in a required mode of applicability constitutes an event or condition for which there is no longer a reasonable expectation that equipment can fulfill its safety function. Therefore, such events or conditions are reportable.
TS system inoperabilities with regards to "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Regional Utility Group IV	4	N/A	ML11350A1132	This expansion of requirements should be accompanied by a regulatory analysis that fully justifies the safety benefit of the change and the impact on other regulatory processes, such as the Reactor Oversight Process Performance indicator that is based on safety system functional failures.	Do Not Agree	The regulatory analysis is voluntary and provides a complete disclosure of the relevant information supporting decisions associated with changes found in NUREG-1022, Revision 3.
TS inoperability impact on "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Tennessee Valley Authority (TVA)	5	N/A	ML11350A108	The paragraph on random single failures was deleted and no regulatory analysis was provided. Removing this paragraph could greatly expand the scope of conditions that could be considered reportable. Recommend a regulatory analysis for the removal of this paragraph	Do Not Agree	The regulatory analysis is voluntary and provides a complete disclosure of the relevant information supporting decisions associated with changes found in NUREG-1022, Revision 3. The "Discussion of NUREG-1022 Changes" now contains background information on why examples were deleted.
TS system inoperabilities with regards to "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	FirstEnergy Nuclear Operating Company (FENOC)	9	N/A	ML11353A410	One specific example that introduces a large uncertainty in the impact of the change of the guidance is the removal of the current language that states that "[i]n determining the reportability of an event or condition that affects a system, it is not necessary to assume an additional random single failure in that system."	Partial Agreement	The "Discussion of NUREG-1022 Changes" now contains background information. The "examples" removed contained discussions pertinent to RIS 2005-20. RIS 2005-20 is referenced in NUREG-1022 and can continue to be utilized for guidance.
TS system inoperabilities with regards to "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	FirstEnergy Nuclear Operating Company (FENOC)	9	N/A	ML11353A410	Reports that will be made under this criterion will discuss systems that will be able to perform their intended function.	Do Not Agree	Appendix D of "Discussion of NUREG-1022 Changes" contains background information. For systems within scope, the inadvertent TS inoperability of a system in a required mode of applicability constitutes an event or condition for which there is no longer a reasonable expectation that equipment can fulfill its safety function. Therefore, such events or conditions are reportable.
TS inoperability impact on "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Nuclear Energy Institute (NEI)	1	Attachment 2 Discussion 3	ML11342A057 ML11353A269	Is an NRC change in position. Administratively inoperable trains or channels can be fully capable of performing their specified safety function. Examples of administrative requirements can be declaration of inoperability due to failed SR, action statements in EDG/Offsite Power LCOs, and not meeting requirements in TRM's.	Do Not Agree	Appendix D of "Discussion of NUREG-1022 Changes" contains background information. For systems within scope, the inadvertent TS inoperability of a system in a required mode of applicability constitutes an event or condition for which there is no longer a reasonable expectation that equipment can fulfill its safety function. Therefore, such events or conditions are reportable.

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TS system inoperabilities with regards to "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Regional Utility Group IV	4	N/A	ML11350A1132	The proposed changes associated with "capable of fulfillment of a safety function" clearly expand the scope of reporting beyond that originally intended. The effect of these changes will be to require reporting of some conditions that would not have prevented fulfillment of system function.	Do Not Agree	Appendix D of "Discussion of NUREG-1022 Changes" contains background information. For systems within scope, the inadvertent TS inoperability of a system in a required mode of applicability constitutes an event or condition for which there is no longer a reasonable expectation that equipment can fulfill its safety function. Therefore, such events or conditions are reportable.
TS system inoperabilities with regards to "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	South Texas Project (STP) Nuclear Operating Company	12	N/A	ML12005A210	Because of the inclusion of "inoperable" systems, the proposed changes would result in a significant increase in the reporting of many cases in which there would be no loss of the ability to provide the required safety function.	Do Not Agree	Appendix D of "Discussion of NUREG-1022 Changes" contains background information. For systems within scope, the inadvertent TS inoperability of a system in a required mode of applicability constitutes an event or condition for which there is no longer a reasonable expectation that equipment can fulfill its safety function. Therefore, such events or conditions are reportable.
TS inoperability impact on "Events or Conditions That Could Have Prevented Fulfillment of a Safety Function."	Strategic Teaming and Resource Sharing (STARS) alliance	13	N/A	ML12006A205	The proposed changes would result in a significant increase in reporting. There may be no loss of safety function in an "inoperable" systems.	Do Not Agree	Appendix D of "Discussion of NUREG-1022 Changes" contains background information. For systems within scope, the inadvertent TS inoperability of a system in a required mode of applicability constitutes an event or condition for which there is no longer a reasonable expectation that equipment can fulfill its safety function. Therefore, such events or conditions are reportable.