



50-206

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

OCT 21 1985

Harold B. Ray
Vice-President and Site Manager
San Onofre
Southern California Edison Company
P. O. Box 128
San Clemente, California 92672

Dear Mr. Ray:

Thank you for your letter of August 19, 1985. We are pleased that we could be of service, and we look forward to future opportunities to work with you. Several of the comments included in your letter regarding possible future rulemaking will be taken into account when such rulemaking is undertaken.

We would like to comment on some of the issues contained in the attachment to your letter. In regard to item I, "10 CFR 50.36 Reporting Requirements," you assert that if the 10 CFR 50.36 condition did not constitute a report pursuant to §50.72, only a 30-day Licensee Event Report pursuant to §50.73 would be required. This is an over simplification of the guidance that we provided at the workshop. There are requirements in §50.36 to notify the Commission, via the Emergency Notification System (ENS), when a safety limit or limiting safety system setting is exceeded. I believe the guidance you are referring to was that simply entering a limiting condition for operation (LCO) did not require an immediate notification via the ENS.

In regard to item II, "Reporting of Spurious Actuations of Engineered Safety Features Under 10 CFR 50.72(b)(2)(ii) and 50.73(a)(2)(iv)," we welcome your insights, and we are contemplating rulemaking that would eliminate unnecessary reporting from §§50.72 and 50.73.

In regard to item III, "Starting the Reportability Clock," we take exception to the view that the reportability clock should start only when a cognizant engineer or supervisor has determined that a reportable condition exists. This is a complicated subject that is discussed in detail in NUREG-1022, Supplement 1, "Licensee Event Report System," question 2.5 and section 14.

In regard to item IV, "Reporting Requirement for Radioactively Contaminated Persons," we agree with the stated interpretation.

In regard to item V, "Suggested Changes to 10 CFR 50.72," we will give your comments careful consideration in any future rulemaking.

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In regard to item VI, "Material False Statement vs. Error in Reporting," as you are probably aware, the Commission and the Advisory Committee on Enforcement Policy are considering whether changes to the Commission's policy regarding material false statements should be made. Your comments will be taken into account by the staff during its deliberations on this matter.

In regard to item VII, "Counting LER's," we agree that simple counts of LER's are not useful. Only careful analysis of LER's will yield valid results.

Sincerely,

Original Signed By:
E L Jordan

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

Original Signed By
Frederick J. Hebdon

Fredrick J. Hebdon, Chief
Program Technology Branch
Office of the Analysis and Evaluation
of Operational Data

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