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## POLICY ISSUE (Information)

March 28, 1994

SECY-94-085

FOR: The Commissioners  
FROM: James M. Taylor  
Executive Director for Operations  
SUBJECT: EXPERIENCE WITH THE 1992 RULE CHANGE ON POWER REACTOR EVENT  
REPORTING REQUIREMENTS - 10 CFR 50.72 AND 10 CFR 50.73

PURPOSE:

To report on experience with the 1992 minor rule change on power reactor event reporting requirements. This is in response to the Commission's staff requirements memorandum (SRM) dated May 22, 1992.

BACKGROUND:

In 1992, the Office for Analysis and Evaluation of Operational Data (AEOD) began minor rulemaking to modify operating reactor event reporting requirements. The rulemaking was intended to relax reporting requirements under 10 CFR 50.72 and 10 CFR 50.73. Specifically, the objective of the rule change was to exempt from reporting certain types of events, primarily those involving invalid actuations of a limited set of engineered safety features (ESFs). Such events include the invalid actuation/isolation or realignment of the following ESFs: the reactor water clean-up system, the control room emergency ventilation systems, the reactor building ventilation system, the fuel building ventilation system, and the auxiliary building ventilation system, or the equivalent ventilation systems. Also excluded from reporting were invalid ESF actuations that occurred either after the safety function had already been completed or when the system was properly removed from service. Based on the staff's review of several hundred reactor-years of operational experience, it was determined that these types of events have little or no safety significance and do not contribute significantly to an understanding of reactor operational safety. The removal of these event reporting requirements was not expected to adversely affect the agency's ability to carry out its mission to protect public health and safety.

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492-4431

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It was anticipated that this rule change would result in about 5 to 10 percent fewer licensee event reports (LERs) per year and a similar reduction in the total number of 10 CFR 50.72 reports.

The proposed minor rulemaking was transmitted to the Commission on April 22, 1992, by SECY-92-146. In response, the Commission issued an SRM on May 22, 1992, that did not object to publication of the notice of proposed rulemaking. On June 26, 1992, the NRC published the notice of proposed rulemaking in the Federal Register. Subsequently, 10 public comments were received. The industry supported the agency's initiative to reduce unnecessary event reporting, but two respondents opposed the rule change. Two utility commenters expected about a 15 percent decrease in the total number of LERs per year due to the rule change. Following evaluation and resolution of received comments, the final rule was published on September 10, 1992, and became effective on October 13, 1992.

In the SRM dated May 22, 1992, the Commission requested that the staff evaluate its experience with the new event reporting requirements 18 months after issuance of the final rule and inform the Commission on the results of the evaluation. This information paper responds to that request.

#### DISCUSSION:

In the five years before the minor rule change, the total number of LERs decreased at an average rate of almost 10 percent per year. Some reasons for this decrease are that (1) utilities learned to avoid some events that led to LERs; (2) fewer new plants, which typically have high numbers of LERs early in their operating history, came on line; and (3) some changes in technical specifications led to decreased reporting. During the same time, the number of ESF actuation LERs decreased at an average rate of a little more than 10 percent per year.

The total number of LERs decreased by about 23 percent (from about 1875 to about 1450) from fiscal year (FY) 1992 (the year before the minor rule change) to FY 1993 (the year after the rule change). Assuming the number of LERs would have continued to decrease at about 10 percent per year without the rule change, most of the remainder of the decrease may be attributed to the minor rule change.

This estimate is supported by examining the change in ESF actuation reporting. The number of ESF actuation LERs decreased by about 270 LERs (from about 690 to about 420) from FY 1992 to FY 1993. Assuming the number would have continued to decrease at about 10 percent per year without the rule change, or about 70 LERs, the incremental decrease from FY 1992 to FY 1993 due to the rule change was about 200 LERs, or about 11 percent of the total number of LERs submitted in FY 1992.

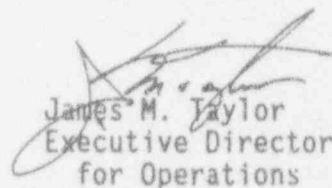
As expected, this reduction in ESF actuation LERs was due to decreased reporting of invalid control room emergency ventilation actuations, reactor water cleanup isolations, reactor building ventilation isolations, and fuel building ventilation isolations. (The number of auxiliary building

ventilation system isolations reported was negligible both before and after the rule change.) Smaller decreases in ESF actuation LERs from FY 1992 to FY 1993 occurred in systems not affected by the rule change, such as auxiliary feedwater actuation and containment vacuum relief isolation systems. However, the decrease in reporting for each of these systems was less than 1 percent of the total number of LERs per year.

Licensees evidently have revised their reporting procedures to avoid submitting unnecessary event reports. There have been very few events reported that were no longer required to be reported after the minor rule change (less than one percent of the total number of LERs submitted).

#### FINDINGS AND CONCLUSIONS:

The minor rule change reduced the industry's reporting burden and the NRC's response burden in event review and assessment without adversely affecting the agency's ability to carry out its mission to protect public health and safety. There were very few event reports submitted that were not required under the new rule. Based on the cost estimates in SECY-92-146 of \$2600 for preparation for each LER by industry and \$1000 for processing for each LER by the NRC, industry saved about \$520,000 per year due to the reduced reporting, and the NRC saved about \$200,000 due to reduced processing, screening, and coding activities.

  
James M. Taylor  
Executive Director  
for Operations

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