

1994 APR 13 11:11:50

DS09



Log # TXX-94105
File # 883

April 8, 1994

William J. Cahill, Jr.
Group Vice President

D. Allison

59FR5614

217K14

Mr. David L. Meyer, Chief
Rules, Review and Directives Branch,
Division of Freedom of Information and Publication Services
U. S. Nuclear Regulatory Commission
Washington, DC 20555

(13)

SUBJECT: COMMENTS ON DRAFT NUREG 1022 Revision 1, "EVENT REPORTING GUIDELINES 10CFR50.72 AND 50.73."

Gentlemen:

TU Electric welcomes the opportunity to comment on NUREG 1022 Revision 1, "EVENT REPORTING GUIDELINES 10CFR50.72 AND 50.73."

In general, TU Electric likes the idea of guidance for required reports being contained in one document. The approach the staff has adopted should facilitate the generation and submittal of the 10CFR50.72 and 50.73 reports. TU Electric offers that clear and to the point examples will minimize errors in interpretation of the regulation. TU Electric would like to suggest that in addition to examples from previously submitted reports, the staff formulate hypothetical situations to specifically illustrate the regulation and the interpretation that should be adopted.

TU Electric provides, in the attachment, comments which resulted from the review of NUREG 1022. If you have any questions or would like to discuss these comments please contact Mr. Jose D Rodriguez at (214) 812-8674.

Sincerely,

William J. Cahill, Jr.

By:

John S. Marshall
Generic Licensing Manager

JDR/
ATTACHMENT

9404150152 94040B
PDR PR
MISC 59FR5614 PDR

Specific Comments
NUREG 1022 Rev. 1 Draft

1. Section 2.1 page 11, Judgement is misspelled.

2. Section 3, pg. 18, indicates report(s) should cite all applicable reporting criteria. Section 5.1.6, pg. 103, indicates that later determination of additional criterion is cause for a revised LER to be submitted. TU Electric believes this to be an unwarranted burden to expend resources on exhaustive analysis to merely categorize the reporting requirement and to submit revised LERs. The guidance should be revised to indicate a best effort to classify an event in appropriate criterion but exhaustive efforts and revised LERs should not be required. Further, the examples in NUREG-1022 do not appear to consistently apply this guidance.
 - a. 3.3.4 example (1), pg. 80, would appear to also be outside the design bases (50.72(b)(1)(ii) and 50.73(a)(2)(ii).
 - b. 3.3.4 Example (2), pg. 81, would also appear to meet (50.73(a)(2)(v) a single condition which could have prevented fulfillment of a safety function.
 - c. Section 3.2.4 example (1), pg. 38, indicates that Technical Specification 3.0.3 was entered and exited prior to commencing a shutdown. Subsequent evaluation determined that equipment was in fact operable and the unanalyzed condition report was retracted. However, a voluntary LER is inconsistent with Section 3.2.2(6), pg. 30, which specifies that any entry into Technical Specification 3.0.3 is reportable as a condition prohibited by Technical Specifications. The plant actually entered 3.0.3 regardless of the later analysis.
 - d. 3.3.4 Example (3), pg. 81, provides no reporting criteria specifically. The NUREG examples should meet the same expectations placed on the licensee.

3. 3.2.4 Discussion item (1)(f), pg. 35, (seriously degraded, outside design basis, or unanalyzed). Examples (ii) and (iii) depict loss of containment isolation valve function (singular) or MSIV function (singular) as loss of containment function or integrity. These are not examples from the Federal Register Notice and do not by themselves constitute serious degradation in penetrations meeting general design criteria requirements, because there is suitable redundancy for the safety function and are controlled by Action Statements in the plant Technical Specifications.

4. 3.2.4(1)(b) Discussion, pg. 36, applying example transient at La Salle states that the transient was not significant but the underlying concern was that the safety analysis might be deficient. This would appear to fit unanalyzed condition more appropriately than being seriously degraded.
5. 3.3.3 Example (15), pg. 76, (condition alone could prevent safety function) relates to degraded diesel generators calling them operable even though there was reasonable doubt that they "would have remained operable" long enough to complete their safety function. The guidance in Generic Letter 91-18, particularly section 3.3, would consider these inoperable. Likewise, example (16) would seem to indicate a lack of reasonable expectation that the check valve disk would stay lodged in a non blocking position and therefore conclude per Generic Letter 91-18 that HPCI was inoperable. Section 2.11, pg. 17, indicates that Generic Letter 91-18 guidance for time limits is appropriate for reportability determinations, but it is also the established standard for operability determinations. These examples should be revised consistent with GL 91-18.
6. The discussion in 3.2.4(3), pg., 37, (outside the design basis) indicates many more one hour reports may be required than in the past. It appears that the expectation is to conservatively do one hour reports, continue further analysis and, if necessary, retract the one-hour report. In many situations the facts will be clear within one hour to make this determination. In other situations, jumping to the conclusion that the event or condition is reportable, while at the same time allowing more time for an operability determination in accordance with Generic Letter 91-18 is inconsistent. If the initial operability assessment is that the SSC is operable, then the initial reportability assessment should be not reportable, with reportability a continuous decision making process along with operability.
7. The discussion in Section 3.2.1, pg. 27, on "initiation of any nuclear plant shutdown" states the performance of any action to start reducing reactor power meets the reporting threshold. TU Electric believes that "any action" needs to be revised to actual negative reactivity addition to reduce power. Standard Technical Specification 3.0.3 (Generic Letter 87-09 version) specifies that "within one hour action shall be initiated", and the bases describe preparation for orderly shutdown and coordination with the load dispatcher as actions for this one hour period. To avoid confusion that these administrative actions require reporting, this should be reworded as indicated above.
8. TU Electric recommends that Section 3.2.4, pg., 34, and 3.3.1, pg. 54, discuss the allowable use of Probabilistic Risk Assessment in determining whether an event or condition is "serious" or "significant"

with regard to a seriously degraded condition or an unanalyzed condition that significantly compromises plant safety.

9. Section 5.1.J, pg. 101, addresses Sunday or holiday due dates, but does not address Saturday. For consistency with 10CFR50.4, Saturday should be included.