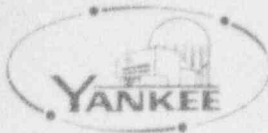


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U.S. Nuclear Regulatory Commission
Office of Administration
Washington, DC 20555

Attention: Mr. David L. Meyer, Chief
Rules Review and Directives Branch
Division of Freedom of Information and
Publications Services

Subject: Draft Report, NUREG-1022, Revision 1, "Event Reporting Guidelines,
Second Draft Report for Comment" (59FR5614)

Dear Mr. Meyer:

Yankee Atomic Electric Company (YAEC) appreciates the opportunity to provide comments on the subject draft guidance document. Yankee owns the nuclear power plant in Rowe, Massachusetts. Yankee Nuclear Services Division (YNSD) also provides engineering and licensing services for other nuclear power plants in the northeast, including Vermont Yankee, Maine Yankee and Seabrook.

We are providing detailed comments in Attachment A keyed to specific sections of the draft report. However, we wish to emphasize two major points of concern. First, we believe that the draft NUREG significantly expands the reporting requirements of 10 CFR 50.73 without the appropriate rulemaking and related backfit analysis required by 10 CFR 50.109. In particular there are a number of instances in which the reporting is mandated sooner than remedial action times permitted by the Technical Specifications of the existing plant population. Because the NRC's Office for Analysis & Evaluation of Operational Data (AEOD) is responsible for oversight of the staff's implementation of the backfit rule and AEOD personnel have played a major role in drafting this revision, it is particularly disappointing that there hasn't been a greater degree of sensitivity to this aspect.

Our second point is that the rationale offered to support the expansion of reporting scope beyond the explicit criteria in 10 CFR 50.73, i.e., the "voluntary LERs", does not seem persuasive. We believe that the preference expressed by the staff for voluntary LERs rather than information letters or 10 CFR 50.9 verbal reports because of "established procedures for distribution and entry into computerized data files" could be more appropriately addressed by modifications of the NRC's internal information

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collection and processing procedures or an appropriately justified rulemaking. Furthermore, the disclaimer "... the NRC recognizes that the number of LERs is not in itself an accurate or appropriate measure to judge a plant's safety performance." is not sufficiently robust. We are all aware of the vigor with which special interest groups with anti-nuclear power biases continually assert that such a linkage is axiomatic. Additionally, the type of information which the staff is attempting to collect through voluntary LER's is available through a variety of both NRC and industry information collection channels and data bases. Licensees should not have to bear the unnecessary burden of multiple reports and recasting the same basic data in a variety of formats.

Sincerely yours,



D. W. Edwards
Director, Industry Affairs

JDS/sf

Attachment

ATTACHMENT A

Comments concerning specific sections of the draft NUREGs are as follows:

<u>Section</u>	<u>Comment</u>
2.5	Definition of components covered by ESF Actuation Reporting is expanded.
2.8	Human Performance issues will be reported in more detail than the present rule requires.
2.9	Voluntary reporting is emphasized here and throughout the document, e.g., pg 98. It is noted that an ENS phone call can be retracted and an LER can be canceled. An example of a retraction is provided by Example 1 sect. 3.3.2 on page 60. However, that example doesn't give the reasoning for the retraction other than that one was made and that the staff (NRC) rejected the retraction.
2.10	Process for retraction/cancellation of event reports is totally subject to NRC acceptance of the reason for retraction. Retraction should be at the discretion of the licensee assuming that an explanation of the reason for the retraction is provided.
2.11	The draft specifically ties "event date" to "discovery date". The draft recognizes that in some situations, an evaluation must be performed to make a reasonable determination concerning reportability. Under present reporting guidelines there is an important distinction between these dates. There is also references made to using the guidance provided in GL 91-13 which further clouds the issue of what constitutes an event date and a discovery date.
3.2.2	The reporting intent of the original document was to deal with LCOs. The intended interpretation of the second draft of Rev. 1 will also include Sect. 5 of T.S. (Administrative Controls). Also this version states explicitly that entry into 3.0.3 (our 3.0.A.2) for any reason is reportable.
3.2.4	Example (1) is in fact an example of voluntary reporting and therefore inappropriate.
3.2.6	"Valid Signal" definition needs improvement and clarification.
3.2.7	This section requires many situations to be reported which are within the allowed remedial action times of T.S. of existing facilities. The T.S. allowed remedial action times are supported by SERs issued by NRC. This section contains many situations which are more limiting (in terms of reporting) than existing T.S.

ATTACHMENT A
(Continued)

<u>Section</u>	<u>Comment</u>
3.3.1	Another example of proposed ENS and LER reporting being more stringent than reporting required by T.S. It is plausible that fuel leakage events which are bounded by T.S. and existing safety analysis would be ENS and LER reportable under this draft revision..
3.3.2	In the note at the top of the page. The example seems to be saying that a failure of one channel causes the system to fail making it reportable under 50.72 (b)(2)(iii) and 50.73 (a)(2)(v) [see page 65], this seems wrong especially considering guidance which says it is not necessary to assume additional random single failures.
3.3.3	The example used to describe reporting required for the loss of offsite or onsite power is confusing in that no reference is made to a applicable T.S. or their associated action statements.
3.3.7	The definition of "Other Government Agencies" as contained in the second draft of Rev. 1 is at odds with the definition contained in 10 CFR 50.2. This seems to be a modification (expansion) of existing reporting requirements.