

DEC 1 6 1982

MEMORANDUM FOR: Chairman Palladino  
Commissioner Gilinsky  
Commissioner Ahearne  
Commissioner Roberts  
Commissioner Asselstine

FROM: William J. Dircks  
Executive Director for Operations

SUBJECT: STATUS OF LER RULEMAKING

By memo dated December 1, 1982, Samuel Chilk informed the staff of the Commission's decision to proceed with the LER rulemaking and requested that the staff inform the Commission regarding the status and schedule of the proposed final LER rule.

The original schedule for development of a final LER rule called for submission of the rule to the Commission by December 31, 1982. However, because of the potential impact that the Brookhaven National Laboratory report on LER system alternatives might have on the LER rule, the staff decided that the final LER rule should not be finalized and reviewed (e.g., by CRGR and ACRS) until there was an opportunity to review the conclusions and recommendations of the Brookhaven report and to incorporate any additional Commission guidance regarding the scope and content of the LER system. This decision to delay finalization of the LER rule was discussed with OPE and members of the Commissioners' staffs.

It should also be noted that the LER rulemaking has been integrated with the 50.72 (Immediate Notification Requirement for Operating Nuclear Reactors) rulemaking. Therefore, both rules will be finalized, reviewed,

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CONTACTS:  
Fred Hebdon, AEOD  
492-4480  
William Mills, IE  
492-4791

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and forwarded to the Commission as a single integrated program for the reporting of operational experience. This program consisting of the proposed final 50.72 and 50.73 rules will be forwarded to the Commission by April 29, 1983 (see attachment for the detailed milestones).

It should be noted, however, that the development of the LER rule is based in part on the assumption that the Nuclear Plant Reliability Data System (NPRDS) will achieve a sufficient level of effectiveness to provide some of the staff's essential needs for operational data. The current status of the NPRDS is presently being evaluated by the staff. A judgment will be made whether the continuing poor utility participation in NPRDS should affect the schedule for proceeding with the LER rule.

(Signed) William J. Dircks

William J. Dircks  
Executive Director for Operations

Attachment:  
As stated

cc w/attachment:	bcc w/attachment:
HDenton, NRR	Central Files
JRoe, D/EDO	NRC PDR
TRehm, AD/EDO	AEOD RF
RMinogue, RES	AEOD SF
OGC	WMills, IE
OPE	EJordan, IE
SECY	GHolahan, NRR
ACRS	EWeiss, IE
	RBernero, RES
	RDeYoung, IE
	LONG, OPE
	RHaynes, Region I
	JPO'Reilly, Region II
	JGKepler, Region III
	JTCollins, Region IV
	RHengelken, Region V
	WSchwink, DEDROGR
	EBlackwood, DEDROGR
	CMichelson, AEOD
	CHeltemes, AEOD
	FHebdon, AEOD
	RDennig, AEOD
	MJamgochian, RES
	RMajor, ACRS
	EDO RF
	<i>W. Dircks</i>

OFFICE	CZ PTB/AEOD	AD/AEOD	D/AEOD JM	EDO WJD		
SURNAME	FHebdonPab	CHeltemes	CMichelson	WDircks		
DATE	12/14/82	12/14/82	12/14/82	12/14/82		

Attachment

<u>Milestone</u>	<u>Date</u>
Final rules* to Offices for review	December 17, 1982
Comments received	January 14, 1983
Final rules to CRGR for review**	January 28, 1983
CRGR meeting	February 18, 1983
CRGR review completed	February 25, 1983
Final rules to ACRS for review***	March 12, 1983
ACRS meeting	April 16, 1983
Final rules to Commission for review and approval	April 30, 1983

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\* Section 50.72, Immediate Notification Requirement for Operating Nuclear Reactors, and Section 50.73, Licensee Event Report (LER) System.

\*\* Information required three weeks in advance of discussion.

\*\*\* Information required one month in advance of discussion.