

MAR 10 1983

MEMORANDUM FOR: Commissioner Ahearne
FROM: William J. Dircks
Executive Director for Operations
SUBJECT: STATUS REPORT ON NRC REQUIREMENTS EXCEEDING THE SCOPE OF THE REGULATIONS

In your response to SECY 82-498, "Withdrawal of Proposed Rule to Codify NUREG-0737 Requirements for OL Applicants," it was requested that we review our current posture regarding requirements which exceed the scope of current regulations. This issue was raised by the issuance of Policy Statements endorsing NUREG-0737 items in June and December 1980. In early January 1981, I directed my staff to evaluate all NUREG-0737 items and identify those items which were related or supported by regulations and those items that went well beyond the regulations.

Over the past few weeks we have reviewed our efforts of two years ago and can report on the status of all items identified in January 1981 that we originally considered to be beyond the scope of the Commission's regulations. The following is a listing of those items we had determined to be more prescriptive than existing regulations and those for which there was no existing regulation to which the item can be related (except for the ultimate safety finding).

- I.A.1.3 - Shift Manning, Minimum Shift Crew
- I.A.2.1 - Immediate Upgrading RO & SRO Training
- I.A.2.3 - Administration of Training Programs
- I.C.1.2 - Short Term Accidents and Procedures, Inadequate Core Cooling
- I.C.5 - Feedback of Operating Experience
- II.B.1 - Reactor Coolant System Vents
- II.K.2.11 - Orders on B&W Plants, Operator Training and Drilling
- II.K.3.44 - Final Recommendations, B&O Task Force, Evaluation of Transients with Single Failure
- I.G.1 - Training During Low Power Testing

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X 2-4-81 PA 50*

Contact: J. A. Zwolinski, MRR
x 2-8543

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DATE	PDR COMMS NRCC	CORRESPONDENCE PDR					

Beginning two to three years prior to January 1981, consideration had been given to proposed modifications to the existing regulations for selected items identified above. By January 1981, we had planned or proposed rulemaking for items I.A.1.3, I.A.2.1, I.C.1.2, II.B.1 and II.K.2.11. It was also recommended that a rule be developed for items I.A.2.3, I.C.5 and I.G.1 as these items relate to either training or procedures. The status of these items is contained in the enclosure.

Review of the Action Plan indicates that industry, i.e., licensees and applicants have been diligent in adopting NUREG-0737 requirements. Of the items identified in NUREG-0737, the overwhelming majority are covered by existing regulations and are contained in NUREG-0800, "Standard Review Plan."

NUREG-0737 contains 132 items for which licensees and applicants, on average, must conform to about 90. Of the nine items which the staff originally identified as going beyond the regulations, i.e., either by being overly prescriptive or having no regulatory basis, three items (I.A.1.3, I.C.5, II.B.1) are being or have been addressed by rulemaking. Items I.A.2.1, I.A.2.3, I.C.1, I.G.1, and II.K.3.44 have been incorporated in the Standard Review Plan (B & W licensees were ordered to implement II.K.2.11). The Standard Review Plan will be used in the review of future Operating License applications.

Rulemaking on training required by the Nuclear Waste Policy Act of 1983 will probably cover the remaining training items. As experience and evaluation of the changes in requirements made through rulemaking, the Action Plan, and the Policy Statements are further developed, further rulemaking to complete action on the items may be indicated. Consequently, the staff prefers the Commission to keep the Policy Statements in place in the meantime.

(Signed) William J. Dircks

William J. Dircks
Executive Director for Operations

Enclosure:
Status of Selected
Action Plan Items

DISTRIBUTION
See attached

cc w/enclosure:
Chairman Palladino
Commissioner Gilinsky
Commissioner Roberts
Commissioner Asseltine
SECY
OPE
OGC

*SEE PREVIOUS CONCURRENCES FOR INITIALS

WJ
EDO
WJ Dircks
3/18/83

OFFICE	DL:ORAB*	DL:ORAB*	DL:AD/SA*	OELD*	DL:DIR*	NRR*	NRR*
SURNAME	JZwolinski	Tippolito	FMiraglia		DEisenhut	ECase	HRDenton
DATE							

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If voluntary compliance cannot be obtained on the few items which go beyond the regulations, the staff is prepared to initiate rulemaking.

William J. Dircks
Executive Director for Operations

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SECY
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Commissioner Roberts
Commissioner Asselstine

END

WJDircks

02/ /83

*SEE PREVIUOS CONCURRENCES FOR INITIALS

retype	DL:ORAB *	DL:ORAB *	DL:AD/SA *	OELD *	DL	NRR	NRR
02/25	JZwolinski	Iippolito	FMiraglia	02/25/83	DEisenhut	EGCase	HRDenton
lgd	02/24/83	02/24/83	02/24/83	02/25/83	02/25/83	02/24/83	02/24/83
DATE							

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The staff continues to believe that the above items which have not been proposed for rulemaking should remain as definitive requirements for new operating license applicants. Should issues arise in which applicants do not want to conform to the few items which go beyond the regulations, the staff is prepared to address these on a case by case basis or initiate rulemaking.

William J. Dircks
Executive Director for Operations

Enclosure:
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Action Plan Items

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DATE	02/24/83	02/24/83	02/24/83	02/24/83	02/ /83	02/ /83	02/ /83

Enclosure A

STATUS OF SELECTED ACTION PLAN ITEMS

I.A.1.3 - Shift Manning, Minimum Shift Crew

In June 1982, the staff presented to the Commission the results of industry efforts to place a second senior operator on shift. The results were encouraging; however, many licensees are having difficulty meeting this NUREG-0737 requirement. The Commission (in a 5-0 vote) requested that the staff develop a rule regarding this issue. The rule is presently before the Commission.

I.A.2.1 - Immediate Upgrade RO and SRO Training

This item has not been fully implemented. It consists of four distinct parts:

- (1) Requires reactor operator experience for senior reactor operator applicants.
- (2) Requires applicants for a senior reactor operator license to serve as licensed reactor operators for one year.
- (3) Requires nondegreed applicants for a senior reactor operator license to follow a training program that includes three months on shift as an extra person.
- (4) Requires modification of training programs for reactor operators.

Parts (1), (2), and (3) have been implemented by industry. Part (4) has been implemented by industry, but the staff has not yet completed the technical review of all the training programs. This review is to be completed during this fiscal year. Operating License applicants should conform with this item per NUREG-0800.

I.A.2.3 - Administration of Training Programs

This item identified the need for facility instructors who teach systems, integrated responses, transient, and simulator courses to demonstrate senior reactor operator qualifications and be enrolled in an appropriate requalification program. This program was completed early in 1981. This particular item is also identified within INPO's Accreditation Program. Also, this item is contained in NUREG-0800.

I.C.1 - Short Term Accident and Procedures, Inadequate Core Cooling

Evaluation of Emergency Operating Procedures and associated guidelines for the industry has been subsumed within SECY 82-111, "Requirements for Emergency Response Capability." Recently, a Generic Letter 82-33 was issued to the industry incorporating this and several other NUREG-0737 items as Supplement 1 to NUREG-0737. This item is contained in NUREG-0800.

I.C.5 - Feedback of Operating Experience

Feedback of operating experience was adopted readily by industry. INPO has established the Signification Events Evaluation and Information Network (SEE-IN). The staff has encouraged industry to take the lead in this area. AEOD serves as a technical monitor to the program and has developed a draft rule entitled, "Licensee Event Reports." The draft has already been published for comment and the final rule is expected in April 1983.

II.B.1 - Reactor Coolant System Vents

This NUREG-0737 item is under technical review by the staff. The reviews are to be completed by the end of this fiscal year. Also, the Commission recently approved an amendment to 10 CFR 50.44, to be effective by the first refueling outage after July 1, 1982.

I.G.1 - Training During Low Power Testing

This item has been incorporated into NUREG-0800 and is applicable solely to operating license applicants. The primary thrust of this effort is to ensure that the new operating staffs receive training in natural circulation through a number of tests for PWRs. The training for BWRs has been limited to walking through a hypothetical station blackout.

II.K.2.11 - Orders on B&W Plants, Operator Training and Drilling

This item stressed specific operator training and drilling for seven B&W facilities. This program was completed prior to issuance of NUREG-0737 by Order to B&W licensees.

II.K.3.44 - Final Recommendations, B&O Task Force Evaluation of Transients with Single Failure

The evaluation of transients with a single failure is completed for 22 of the 24 BWRs. The two facilities for which we expect to complete our review in March are LaCrosse and Big Rock Point. This item is contained in NUREG-0800.

GREEN TICKET EDO #12703

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			OTHER _____

DESCRIPTION LETTER MEMO REPORT OTHER

Req report on areas regs are needed to cover beyond-regs subjects (SECY-82-498)

SPECIAL INSTRUCTIONS OR REMARKS

PRIORITY

ASSIGNED TO	DATE	INFORMATION ROUTING
Denton, NRR	1/25/83	1. Dircks
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<i>Miraglia</i>		3. Thompson
<i>Spolito</i>	<i>01/27</i>	4. Speis
<i>Zwolinski</i>		5. Snyder
		6. Grace
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