

Certified By

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APR 27 1983

MEMORANDUM FOR: C. J. Heltemes, Jr., Director, Office for Analysis and Evaluation of Operational Data

FROM: J. B. Martin, Regional Administrator, RV

SUBJECT: LICENSEE EVENT REPORT RULEMAKING (10 CFR 50.73)

Your memorandum dated April 15, 1983 forwarded the final 10 CFR 50.73 rulemaking package to Headquarters directors for concurrence. Although concurrence by Regional Administrators was not requested, we consider it important to reiterate certain of our earlier comments (R. H. Engelken's memorandum dated January 20, 1983). Concurrence by Headquarters directors was requested by April 22, but unfortunately the package was not received in Region V until that date.

Although most of our earlier comments were addressed, Region V still has a few concerns regarding the 50.73 proposed rulemaking, as listed below. These were discussed by phone with F. Hebdon of your office on April 26.

1. We still believe the threshold for reporting releases of radioactivity to unrestricted areas is too high. Few if any past events would have met the criterion in 50.73(a)(2)(viii), which is twice MPC averaged over one hour. While this may be a valid threshold for immediate reporting under 50.72, the threshold for 30-day written reports should be lower.
2. Assuming that the threshold for the reporting of releases under 50.73(a)(2)(viii) is at a proper level, there remains a conflict with 50.73(a)(2)(i). While the former requires reporting of releases greater than twice MPC averaged over one hour, the latter would require the reporting of releases which exceed the instantaneous release limit in the Technical Specifications, unless relief is provided by an action statement. No such relief is provided for Trojan and Rancho Seco (Appendix B Technical Specifications), so the lower reporting threshold (exceeding instantaneous Technical Specifications release limits) would appear to apply to these facilities. The new 50.73 rule should endeavor to establish the same release reporting threshold for all power reactor facilities.
3. While not a significant concern, example (g) (page 26 of the rulemaking package) under the discussion of 50.73(a)(2)(ii) should be clarified to more clearly define the reporting threshold. Addition of the following parenthetical phrase is recommended: "(such that the number of operable valves is less than required by the Technical Specifications)."

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Some of our earlier comments also addressed consistency between the proposed 50.72 and 50.73 rules. Since we have not yet seen the final 50.72 package, resolution of these comments could not be evaluated.

J. B. Martin
Regional Administrator, RV

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