



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D. C. 20555-0001

November 4, 1994

The Honorable Joseph I. Lieberman, Chairman
Subcommittee on Clean Air and Nuclear Regulation
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

The United States Nuclear Regulatory Commission (NRC) has sent to the Office of the Federal Register for publication the enclosed proposed amendments to the Commission's rules in 10 CFR Parts 50, 55, and 73. The NRC proposes to amend its regulations to reduce reporting requirements currently imposed on water-cooled nuclear power reactor, research and test reactor, and nuclear material licensees. This action would reduce the regulatory burden on NRC licensees and is based on two recent NRC initiatives to review its regulations to revise or eliminate duplicative or unnecessary reporting requirements.

The proposed amendments would: (1) eliminate the current requirement for licensees to submit summary reports of containment leakage rate tests to the NRC (10 CFR Part 50-Appendix J), but preserve the requirements in §§ 50.72 and 50.73 under which licensees currently report any instances of leakage exceeding authorized limits in the technical specifications of the license; (2) revise 10 CFR 55.25 to refer licensees to a similar reporting requirement in 10 CFR 50.74(c) and require notification of operator incapacity only in case of permanent disability or illness; and (3) eliminate the requirement for quarterly submittal of safeguards event logs presently contained in 10 CFR 73.71(c)(2) and Appendix G to Part 73.

The Commission is issuing the proposed rule for public comment and has specifically requested comment with respect to the appropriateness of eliminating these reporting requirements.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dennis K. Rathbun".

Dennis K. Rathbun, Director
Office of Congressional Affairs

Enclosure:
Federal Register Notice

cc: Senator Alan K. Simpson

CC37



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

November 4, 1994

The Honorable Philip R. Sharp, Chairman
Subcommittee on Energy and Power
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The United States Nuclear Regulatory Commission (NRC) has sent to the Office of the Federal Register for publication the enclosed proposed amendments to the Commission's rules in 10 CFR Parts 50, 55, and 73. The NRC proposes to amend its regulations to reduce reporting requirements currently imposed on water-cooled nuclear power reactor, research and test reactor, and nuclear material licensees. This action would reduce the regulatory burden on NRC licensees and is based on two recent NRC initiatives to review its regulations to revise or eliminate duplicative or unnecessary reporting requirements.

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Dennis K. Rathbun, Director
Office of Congressional Affairs

Enclosure:
Federal Register Notice

cc: Representative Michael Bilirakis



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

November 4, 1994

The Honorable Richard H. Lehman, Chairman
Subcommittee on Energy and Mineral Resources
Committee on Natural Resources
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The United States Nuclear Regulatory Commission (NRC) has sent to the Office of the Federal Register for publication the enclosed proposed amendments to the Commission's rules in 10 CFR Parts 50, 55, and 73. The NRC proposes to amend its regulations to reduce reporting requirements currently imposed on water-cooled nuclear power reactor, research and test reactor, and nuclear material licensees. This action would reduce the regulatory burden on NRC licensees and is based on two recent NRC initiatives to review its regulations to revise or eliminate duplicative or unnecessary reporting requirements.

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Dennis K. Rathbun, Director
Office of Congressional Affairs

Enclosure:
Federal Register Notice

cc: Representative Barbara Vucanovich

[7590-01-P]

NUCLEAR REGULATORY COMMISSION

10 CFR PARTS 50, 55, AND 73

RIN 3150-AF18

Reduction of Reporting Requirements Imposed on NRC Licensees

AGENCY: Nuclear Regulatory Commission.

ACTION: Proposed rule.

SUMMARY: The Nuclear Regulatory Commission (NRC) is proposing to amend its regulations to reduce reporting requirements currently imposed on water-cooled nuclear power reactor, research and test reactor, and nuclear material licensees. This action would reduce the regulatory burden on NRC licensees. The proposed rule would implement an NRC initiative to review its current regulations with the intent to revise or eliminate duplicative or unnecessary reporting requirements. The proposed amendments would: (1) eliminate the current requirement for licensees to submit summary reports of containment leakage rate tests to the NRC (10 CFR Part 50-Appendix J), but preserve the requirements in §§ 50.72 and 50.73 under which licensees currently report any instances of leakage exceeding authorized limits in the technical specifications of the license; (2) revise 10 CFR 55.25 to refer licensees to a similar reporting requirement in 10 CFR 50.74(c) and require notification of operator incapacity only in case of permanent disability or illness; and

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(3) eliminate the requirement for quarterly submittal of safeguards event logs presently contained in 10 CFR 73.71(c)(2) and Appendix G to Part 73.

DATE: The comment period expires ----- (45 days after date of publication in the Federal Register). Comments received after this date will be considered if it is practical to do so, but the Commission is able to assure consideration only for comments received on or before this date.

ADDRESSES: Mail written comments to: Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Docketing and Service Branch. Comments may be delivered to One White Flint North, 11555 Rockville Pike, Rockville, MD, between 7:45 a.m. and 4:15 p.m. on Federal workdays.

Copies of the draft regulatory analysis, the finding of no significant impact, the supporting statement submitted to OMB, and comments received may be examined at the NRC Public Document Room, 2120 I Street NW. (Lower Level), Washington, DC.

FOR FURTHER INFORMATION CONTACT: Naiem S. Tanius, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone (301) 415-6103.

SUPPLEMENTARY INFORMATION:

Background

On January 7, 1994, the Executive Director for Operations (EDO) sent to the Commission SECY-94-003, "Plan for Implementing Regulatory Review Group Recommendations." The Commission approved these recommendations for reducing regulatory burden on its licensees. This proposed rule is one of several rulemaking and other regulatory actions that the NRC staff is developing to implement those recommendations.

During the NRC staff review of the regulations, Federal Register notices were published on February 24, 1992 (57 FR 6299) and June 19, 1992 (57 FR 27394) that solicited the views of the public, the nuclear power industry, and other interested parties regarding reduction of the regulatory burden and reporting requirements. Comments were received in response to those notices. A summary of the comments received that are pertinent to this action is included in this document.

Discussion

These proposed amendments would: (1) eliminate the current requirement for licensees to submit summary reports of containment leakage rate tests to the NRC (10 CFR Part 50-Appendix J), but preserve the requirements in §§ 50.72 and 50.73 under which licensees currently report any instances of leakage exceeding authorized limits in the technical specifications of the license; (2) revise 10 CFR 55.25 to refer licensees to a similar reporting requirement

in 10 CFR 50.74(c) and require notification of operator incapacity only in case of permanent disability or illness; and (3) eliminate the requirement for quarterly submittal of safeguards event logs presently contained in 10 CFR 73.71(c)(2) and Appendix G to Part 73.

Although these proposed reduction in reporting requirements were discussed in Federal Register notices published on February 24, 1992 (57 FR 6299) and June 19, 1992 (57 FR 27394), the public is again invited to submit comments. Specifically, the NRC requests comments and supporting rationale on the appropriateness of eliminating or consolidating these reporting requirements and whether the public health and safety will be adversely affected by these changes.

Elimination of Reporting Requirements from 10 CFR Part 50, Appendix J.

10 CFR Part 50, Appendix J, currently requires all water-cooled nuclear power reactor licensees to conduct containment leakage testing. The containment leakage tests demonstrate that the containment system meets all the leakage criteria specified in the technical specifications of the licenses. Currently, Section V.B. of Appendix J requires licensees to submit a summary report of the results of all leak rate tests and any associated corrective actions. Under this proposed rulemaking, licensees of water-cooled nuclear power reactors will continue to conduct containment leakage testing and to prepare the summary report. However, they would not be required to submit the summary report to the NRC. They would still be required to report to the NRC instances of leakage in excess of authorized limits, via a written

licensee event report,¹ as now required by § 50.73(a)(2)(ii). If such a leakage condition is found during operation, an immediate notification by telephone is required by § 50.72(b)(1)(ii). If the leakage condition is found during shutdown the telephone notification is required by § 50.72(b)(2)(i).

The NRC believes that the elimination of the requirement to submit the summary report to the NRC of leakage tests when these results are within acceptance limits would have no impact on the overall health and safety of the public. Because these tests have been performed and evaluated frequently by the nuclear power industry, any misinterpretation of testing requirements is highly unlikely. Moreover, licensees would still be required to prepare the summary reports and make those reports available for review and inspection at the respective plant sites. Having these reports available at the plant sites should be sufficient for normal record reviews, and for any necessary in-depth reviews. Therefore, the NRC proposes to eliminate the requirement to report results of tests within specified limits.

Consolidation of 10 CFR 50.74 and 10 CFR 55.25 Reporting Requirements.

If an operator licensed pursuant to 10 CFR 55, becomes ill or disabled to the point that he or she no longer can safely perform their duties, the reactor licensee is required to report the occurrence of disability under both 10 CFR 50.74(c) and 10 CFR 55.25. The NRC is proposing to require only a

¹ These reports would be required when total containment as-found, minimum pathway leak rate exceeds the limiting condition for operation (LCO) in the facility's technical specification.

single report by eliminating the reporting requirements in 10 CFR 55.25 and modifying 10 CFR 55.25 to refer facility licensees to 10 CFR 50.74(c).

In addition, when 10 CFR Part 55 was promulgated, the intent of § 55.25 was to receive reports only of permanent or potentially permanent illness or disability of licensed operators that would prevent them from safely carrying out their responsibilities. However, this intent, is not explicitly stated in either § 55.25 or § 50.74(c). To remove this ambiguity, the word "permanent" is added in both §§ 50.74(c) and 55.25. (A more detailed discussion on "permanent" versus "temporary," illness, or disability can be found in the NRC publication NUREG-1262,² "Answers to Questions at Public Meetings Regarding Implementation of Title 10, Code of Federal Regulations, Part 55 on Operators' Licenses," November 1987, page 21, question 91).

Public Comments.

Only two comments were received concerning the reporting requirements for power reactor licensees. Neither suggested elimination of any power reactor reporting requirement. However, both suggested that the redundant requirements of 10 CFR Parts 50 and 55 addressing illness or disability of licensed operator be consolidated in 10 CFR 50.74.

² Copies of NUREG-1262 may be purchased from the Superintendents of Documents, U.S. Government Printing Office, Mail Stop SSOP, Washington, DC 20402-9328. Copies are also available from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161. A copy is also available for inspection and copying for a fee in the NRC Public Document Room, 2120 L Street, NW. (Lower level), Washington, DC 20555-0001.

Elimination of Reporting Requirements in 10 CFR Part 73.71(c)(2).

10 CFR Part 73.71(c)(1) requires that licensees maintain a current log for recording safeguards events. An event that must be recorded in the log is defined in Appendix G, Part 73 as "Any failure, degradation, or discovered vulnerability in a safeguard system..."³ 10 CFR 73.71(c)(2) requires that a copy of the log be submitted quarterly to the NRC.

The NRC proposes to eliminate the requirement that licensees submit copies of the safeguard event log. Until recently, the NRC staff published an annual report which contained an ongoing analysis of log events. However, the NRC now believes that the greatest benefits of dissemination of these statistics on safeguards equipment performance and lessons learned about the causes and prevention of safeguards equipment malfunctions have been realized, and that continuing to publish that report is no longer cost effective. However, licensees will still be required to enter events in the logs, and make those logs available for review and inspection at the respective plant sites. Having the logs available at the plant site should be sufficient for normal record reviews, and any necessary in-depth reviews. Therefore, the NRC believes that public health and safety will not be adversely affected if the logs are no longer submitted to the NRC.

³ The full definition in 10 CFR Part 73 Appendix G, Section II is:
(a) Any failure, degradation, or discovered vulnerability in a safeguards system that could have allowed unauthorized or undetected access to a protected area, material access area, controlled access area, vital area, or transport had compensatory measures not been established.
(b) Any other threatened, attempted, or committed act not previously defined in Appendix G with the potential for reducing the effectiveness of the safeguards system below that committed to in a licensed physical security or contingency plan or the actual condition of such reduction in effectiveness.

Public Comments.

The former Nuclear Management and Resources Council, now known as the Nuclear Energy Institute (NEI), commented that power reactor licensees should be deleted from the list of licensees subject to the provisions of 10 CFR 73.71(c). According to NEI, comparisons among plants using the data provided in the logs are not meaningful because the number of events reported by each site is dramatically influenced by a number of site-specific variables such as the number and design of system components and unique physical arrangements. NEI stated that comments received from industry were almost unanimous in advising that licensees receive insignificant information from the NRC's quarterly "Safeguards Events Analysis Report." NEI further commented that the real benefit in recording safeguards events lies in its usefulness as a management tool to measure a plant's specific performance, independent of other facilities.

One licensee commented that if the requirement to submit a log to the NRC were not deleted, the frequency of submittal should be reduced from 4 times each year to 2 times each year as required for submittal of fitness-for-duty performance data in 10 CFR 26.71(d). The licensee noted that timeliness would not be adversely impacted in a significant way by annual or semiannual rather than quarterly reporting. The licensee also suggested that evaluation of trends is more meaningful when based on events over 6 months or a year rather than only 3 months.

The NRC believes that, in the early years of this program, there was considerable benefit from comparisons of the performance of a site's security equipment with the performance of the rest of the industry, notwithstanding

differences in site-specific variables. However, the NRC now believes that the greatest benefits have been realized and that continuing the program as a regulatory tool has a diminishing cost-benefit. As such, the NRC agrees with the comments that the primary benefit in logging events is the usefulness of the log as a means for the licensees to track and trend the performance of the safeguards systems at their own plants. In fact, the NRC has already discontinued publication of "Safeguards Event Analysis Report." Although the NRC is proposing to eliminate the requirement that licensees submit their safeguards event logs, licensees would still be required to enter events into their logs and maintain those logs on site for review by the NRC inspectors.

Written Reports

This proposed rule would not require additional written reports. On the contrary, under this proposed rule, reporting will be reduced for all licensees under 10 CFR Parts 50, 55, and 73.

Environmental Impact: Categorical Exclusion

The NRC has determined that this proposed rule is the type of action described in the categorical exclusion 10 CFR 51.22(c)(3)(iii). Therefore, neither an environmental impact statement nor an environmental assessment has been prepared for this regulation.

Paperwork Reduction Act Statement

This proposed rule amends information collection requirements that are subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*). This rule has been submitted to the Office of Management and Budget for review and approval of the paperwork requirements.

Because the rule will relax existing information collection requirements, the public burden for this collection of information is expected to be reduced by approximately 10 hours per licensee. This reduction includes the time required for reviewing instructions, searching existing data sources, gathering and maintaining the data needed and completing and reviewing the collection of information. Send comments regarding the estimated burden reduction or any other aspect of this collection of information, including suggestions for reducing this burden, to the Information and Records Management Branch (T-6 F33), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0011, 3150-0018, 3150-0002), Office of Management and Budget, Washington, DC 20503.

Regulatory Analysis

The Commission has prepared a draft regulatory analysis on this proposed regulation. The analysis examines the costs and benefits of the alternatives considered by the Commission. The draft analysis is available for inspection in the NRC Public Document Room, 2120 L Street NW. (Lower Level), Washington, DC. Single copies of the draft analysis may be obtained from Naiem S.

Tanious, telephone (301) 415-6103. The Commission requests public comment on the draft regulatory analysis. Comments on the draft analysis may be submitted to the NRC as indicated under the **ADDRESSES** heading.

Regulatory Flexibility Certification

In accordance with the Regulatory Flexibility Act of 1980, (5 U.S.C. 605(b)), the Commission certifies that this rule will not, if promulgated, have a significant economic impact on a substantial number of small entities. This proposed rule affects the nuclear power reactors, research and test reactors, and some material licensees. The companies and organizations that own these plants do not fall within the scope of the definition of "small entities" set forth in the Regulatory Flexibility Act of the size standards established by the NRC (56 FR 56671; November 6, 1991).

Backfit Analysis

The NRC has determined that the backfit rule 10 CFR 50.109, does not apply to this proposed rule because these amendments do not involve any provisions which would impose backfits on licensees as defined in § 50.109(a)(1). Information collection and reporting requirements are not subject to the backfit rule; moreover, the changes proposed in this rulemaking relax existing requirements.

List of Subjects

10 CFR Part 50

Antitrust, Classified information, Criminal Penalties, Fire protection, Intergovernmental relations, Nuclear power plants and reactors, Radiation protection, Reactor siting criteria, Reporting and recordkeeping requirements.

10 CFR Part 55

Criminal Penalties, Manpower training programs, Nuclear power plants and reactors, Reporting and recordkeeping requirements.

10 CFR Part 73

Criminal Penalties, Hazardous materials transportation, Export, Import, Nuclear materials, Nuclear power plants and reactors, Reporting and recordkeeping requirements, Security measures.

For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended; the Energy Reorganization Act of 1974, as amended; the Nuclear Waste Policy Act of 1982, as amended; and 5 U.S.C. 553; the Commission is proposing to adopt the following amendments to 10 CFR Parts 50, 55, and 73.

PART 50 - DOMESTIC LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

1. The authority citation for 10 CFR Part 50 continues to read as follows:

AUTHORITY: Secs. 102, 103, 104, 105, 161, 182, 183, 186, 189, 68 Stat. 936, 937, 938, 948, 953, 954, 955, 956, as amended, sec. 234, 83 Stat. 1244, as amended (42 U.S.C. 2132, 2133, 2134, 2135, 2201, 2232, 2233, 2236, 2239, 2282); secs. 201, as amended, 202, 206, 88 Stat. 1242, as amended, 1244, 1246 (42 U.S.C. 5841, 5842, 5846).

Section 50.7 also issued under Pub. L. 95-601, sec. 10, 92 Stat. 2951 as amended by Pub. L. 102-486, sec. 2902, 106 Stat 3123, (42 U.S.C. 5851). Section 50.10 also issued under secs. 101, 185, 68 Stat. 936, 955, as amended (42 U.S.C. 2131, 2235); sec. 102, Pub. L. 91-190, 83 Stat. 853 (42 U.S.C. 4332). Sections 50.13, 50.54(dd), and 50.103 also issued under sec. 108, 68 Stat. 939, as amended (42 U.S.C. 2138). Sections 50.23, 50.35, 50.55, and 50.56 also issued under sec. 185, 68 Stat. 955 (42 U.S.C. 2235). Sections 50.33a, 50.55a and Appendix Q also issued under sec. 102, Pub. L. 91-190, 83 Stat. 853 (42 U.S.C. 4332). Sections 50.34 and 50.54 also issued under sec. 204, 88 Stat. 1245 (42 U.S.C. 5844). Sections 50.58, 50.91, and 50.92 also issued under Pub. L. 97-415, 96 Stat. 2073 (42 U.S.C. 2239). Section 50.78 also issued under sec. 122, 68 Stat. 939 (42 U.S.C. 2152). Sections 50.80 - 50.81 also issued under sec. 184, 68 Stat. 954, as amended (42 U.S.C. 2234). Appendix F also issued under sec. 187, 68 Stat. 955 (42 U.S.C. 2237).

2. In 10 CFR 50.74, paragraph (c) is revised to read as follows:

§ 50.74 Notification of change in operator or senior operator status.

(c) Permanent disability or illness as described in § 55.25 of this chapter.

3. In 10 CFR Part 50 Appendix J, Section III, paragraphs A.1.(a), (b), and (d); Section IV. paragraph A., and Section V. paragraphs A. and B., are revised to read as follows:

Appendix J to Part 50 - Primary Reactor Containment Leakage Testing for Water-Cooled Power Reactors.

* * * * *

III. Leakage Testing Requirements.

* * * * *

A. Type A test-1. Pretest requirements. (a) Containment inspection in accordance with V. A. shall be performed as a prerequisite to the performance of Type A tests. During the period between the initiation of the containment inspection and the performance of the Type A test, no repairs or adjustments shall be made so that the containment can be tested in as close to the "as is" condition as practical. During the period between the completion of one Type A test and the initiation of the containment inspection for the subsequent Type A test, repairs or adjustments shall be made to components whose leakage exceeds that specified in the technical specification as soon as practical after identification. If during a Type A test, including the supplemental test specified in III.A.3.(b), potentially excessive leakage paths are identified which will interfere with satisfactory completion of the test, or which result in the Type A test not meeting the acceptance criteria III.A.4.(b) or III.A.5.(b), the Type A test shall be terminated and the leakage through such paths shall be measured using local leakage testing methods. Repairs and/or adjustments to equipment shall be made and Type A test performed. The corrective action taken and the change in leakage rate

determined from the tests and overall integrated leakage determined from local leak and Type A tests shall be included in the summary report required by V.B.

(b) Closure of containment isolation valves for the Type A test shall be accomplished by normal operation and without any preliminary exercising or adjustments (e.g., no tightening of valve after closure by valve motor). Repairs of maloperating or leaking valves shall be made as necessary. Information on any valve closure malfunction or valve leakage that require corrective action before the test, shall be included in the summary report required by V.B.

* * * * *

(d) Those portions of the fluid systems that are part of the reactor coolant pressure boundary and are open directly to the containment atmosphere under post-accident conditions and become an extension an extension of the boundary of the containment shall be opened or vented to the containment atmosphere prior to and during the test. Portions of closed systems inside containment that penetrate containment and rupture as a result of a loss of coolant accident shall be vented to the containment atmosphere. All vented systems shall be drained of water or other fluids to the extent necessary to assure exposure of the system containment isolation valves to containment air test pressure and to assure they will be subjected to the post accident differential pressure. Systems that are required to maintain the plant in a safe condition during the test shall be operable in their normal mode, and need not be vented. Systems that are normally filled with water and operating under post-accident conditions, such as the containment heat removal system, need not be vented. However, the containment isolation valves in the systems defined in III.A.1.(d) shall be tested in accordance with III.C. The measured

leakage rate from these tests shall be included in the summary required by V.B.

* * * * *

IV. Special Testing Requirements.

A. Containment modification. Any major modification, replacement of a component which is part of the primary reactor containment boundary, or resealing a seal-welded door, performed after the preoperational leakage rate test shall be followed by either a Type A, Type B, or Type C test, as applicable for the area affected by the modification. The measured leakage from this test shall be included in the summary report required by V.B. The acceptance criteria of III.A.5.(b), III.B.3., or III.C.3., as appropriate, shall be met. Minor modifications, replacements, or resealing of seal-welded doors, performed directly prior to the conduct of a scheduled Type A test do not require a separate test.

V. Inspection and Reporting of Tests.

A. Containment inspection. A general inspection of the accessible interior and exterior surfaces of the containment structures and components shall be performed prior to any Type A test to uncover any evidence of structural deterioration which may affect either the containment structural integrity or leak-tightness. If there is evidence of structural deterioration, Type A tests shall not be performed until corrective action is taken in accordance with repair procedures, non destructive examinations, and tests as specified in the applicable code specified in § 50.55a at the commencement of repair work. Such structural deterioration and corrective actions taken shall be included in the summary test report required by V.B.

B. Report of Test Results. 1. The preoperational and periodic tests must be documented in a readily available summary report that will be made available for inspection, upon request, at the nuclear power plant. The summary report shall include a schematic arrangement of the leakage rate measurement system, the instrumentation used, the supplemental test method, and the test program selected as applicable to the preoperational test, and all the subsequent periodic tests. The report shall contain an analysis and interpretation of the leakage rate test data for the Type A test results to the extent necessary to demonstrate the acceptability of the containment's leakage rate in meeting acceptance criteria.

2. For each periodic test, leakage test results from Type A, B, and C tests shall be included in the summary report. The summary report shall contain an analysis and interpretation of the Type A test results and a summary analysis of periodic Type B and Type C tests that were performed since the last type A test. Leakage test results from type A, B, and C tests that failed to meet the acceptance criteria of III.A.5(b), III.B.3, and III.C.3, respectively, shall be included in a separate accompanying summary report that includes an analysis and interpretation of the test data, the least squares fit analysis of the test data, the instrumentation error analysis, and the structural conditions of the containment or components, if any, which contributed to the failure in meeting the acceptance criteria. Results and analyses of the supplemental verification test employed to demonstrate the validity of the leakage rate test measurements shall also be included.

PART 55 - OPERATORS' LICENSES

4. The authority citation for 10 CFR Part 55 continues to read as follows:

AUTHORITY: Secs. 107, 161, 182, 68 Stat. 939, 948, 953 , as amended, sec. 234, 83 Stat. 444, as amended (42 U.S.C. 2137, 2201, 2232, 2282); secs. 201, as amended, 202, 88 Stat. 1242, as amended, 1244 (42 U.S.C. 5841, 5842).

Sections 55.41, 55.43, 55.45, and 55.59 also issued under sec. 306, Pub. L. 97-425, 96 Stat. 2262 (42 U.S.C. 10226). Section 55.61 also issued under secs. 186, 187, 68 Stat. 955 (42 U.S.C. 2236, 2237).

5. 10 CFR 55.25 is revised to read as follows:

§ 55.25 - Incapacitation because of disability or illness.

If, during the term of the license, the licensee develops a permanent physical or mental condition that causes the licensee to fail to meet the requirements of § 55.21 of this part, the facility licensee shall notify the Commission, within 30 days of learning of the diagnosis, in accordance with § 50.74(c). For conditions for which a conditional license (as describing in § 55.33(b) of this part) is requested, the facility licensee shall provide medical certification on Form NRC 396 to the Commission (as described in § 55.23 of this part).

PART 73 - PHYSICAL PROTECTION OF PLANTS AND MATERIALS

6. The authority citation for 10 CFR Part 73 continues to read as follows:

AUTHORITY: Secs. 53, 161, 68 Stat. 930, 948, as amended, sec. 147, 94 Stat. 780 (42 U.S.C. 2073, 2167, 2201); sec. 201, as amended, 204, 88 Stat. 1242, as amended, 1245 (42 U.S.C. 5841, 5844).

Section 73.1 also issued under secs. 135, 141, Pub. L. 97-425, 96 Stat. 2232, 2241 (42 U.S.C. 10155, 10161). Section 73.37(f) also issued under sec. 201, Pub. L. 96-295, 94 Stat. 789 (42 U.S.C. 5841 note). Section 73.57 is issued under sec. 606, Pub. L. 99-399, 100 Stat. 876 (42 U.S.C. 2169).

7. Section 73.71, paragraph (c)(2) is deleted, paragraph (c)(1) is redesignated as paragraph (c), and paragraph (d) is revised to read as follows:

§ 73.71 Reporting of safeguards events.

* * * * *

(d) Each licensee shall submit to the Commission the 30-day written reports required under the provisions of this section that are of a quality which will permit legible reproduction and processing. If the facility is subject to § 50.73 of this chapter, the licensee shall prepare the written report of NRC Form 366. If the facility is not subject to § 50.73 of this chapter, the licensee shall not use this form but shall prepare the written report in letter format. The report must include sufficient information for NRC analysis and evaluation.

8. In 10 CFR Part 73, Appendix G, the title of Section II. is revised to read as follows:

Appendix G to Part 73-Reportable Safeguards Events.

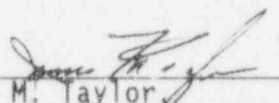
* * * * *

II. Events to be recorded within 24 hours of discovery in the safeguards event log.

* * * * *

Dated at Rockville, Maryland, this 20th day of October 1994.

For the Nuclear Regulatory Commission.



James M. Taylor
Executive Director for Operations.

**CONGRESSIONAL CORRESPONDENCE SYSTEM
DOCUMENT PREPARATION CHECKLIST**

This checklist is to be submitted with each document (or group of Qs/As) sent for filing into the CCS.

1. BRIEF DESCRIPTION OF DOCUMENT(S) Let to Sen Lieberman
2. TYPE OF DOCUMENT Correspondence Hearings (Qs/As)
3. DOCUMENT CONTROL Sensitive (NRC Only) Non-sensitive
4. CONGRESSIONAL COMMITTEE and SUBCOMMITTEES (if applicable)

_____ Congressional Committee
 _____ Subcommittee

5. SUBJECT CODES

- (a) _____
 (b) _____
 (c) _____

6. SOURCE OF DOCUMENTS

- (a) _____ 5520 (document name _____)
 (b) Scan (c) _____ Attachments
 (d) _____ Rakay (e) _____ Other _____

7. SYSTEM LOG DATES

- (a) 12/7/94 Date OCA sent document to CCS
 (b) _____ Date CCS receives document
 (c) _____ Date returned to OCA for additional information
 (d) _____ Date resubmitted by OCA to CCS
 (e) _____ Date entered into CCS by _____
 (f) _____ Date OCA notified that document is in CCS

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8. COMMENTS