



POLICY ISSUE **(Notation Vote)**

May 23, 2022

SECY-22-0046

FOR: The Commissioners

FROM: Daniel H. Dorman
Executive Director for Operations

SUBJECT: REPORT TO CONGRESS ON ABNORMAL OCCURRENCES:
FISCAL YEAR 2021

PURPOSE:

To obtain Commission approval to submit to Congress the "Report to Congress on Abnormal Occurrences: Fiscal Year 2021." This paper does not address any new resource implications.

BACKGROUND:

Section 208 of the Energy Reorganization Act of 1974, as amended (Public Law 93-438), defines an abnormal occurrence (AO) as an unscheduled incident or event that the U.S. Nuclear Regulatory Commission (NRC) determines to be significant from the standpoint of public health or safety. The Federal Reports Elimination and Sunset Act of 1995 (Public Law 104-66) modified the reporting frequency to require the NRC to report AOs to Congress annually. Enclosure 1 to this paper is a draft of the "Report to Congress on Abnormal Occurrences: Fiscal Year 2021" (NUREG-0090, Volume 44).

DISCUSSION:

The enclosed revised draft AO report describes six events in Agreement States and two events involving NRC licensees during fiscal year (FY) 2021. The revised draft report and

CONTACT: Kerstun J. Norman, RES/DSA
301-415-5883

Congressional Letter are submitted in response to Staff Requirements – SECY-22-0014 – Report to Congress on Abnormal Occurrences: Fiscal Year 2021.

As directed in Staff Requirements to SECY-22-0014, the staff has revised the report to characterize the two other events of interest in the FY 2021 AO Report as AOs. Based on the circumstances of the event at the Avera McKennan Nuclear Medicine facility, the staff included this event as meeting AO criteria III.C.1(b) and III.C.2(b)(i) of Appendix A. Additionally, based on the circumstances of the event at the National Institute of Standards and Technology Center for Neutron Research, the staff revised the report to indicate that this event met AO criteria III.A.2 and III.A.3 of Appendix A.

The staff also revised the event at Columbia Hospital at Medical City Dallas after it was submitted to the Commission and is providing an update for accuracy. The staff originally classified this event as a medical AO event under criteria III.C.1(b) and III.C.2(b)(i) of Appendix A. While this event is a medical issue, after receiving additional information from the State of Texas, the staff determined that this event more appropriately met AO criteria III.A.3 of Appendix A vice criteria III.C.1(b).

The revised report contains eight events in FY 2021 that meet the criteria for AO categorization, as defined in Appendix A, “Abnormal Occurrence Criteria,” to the report. The NRC identified no events at NRC-licensed facilities during FY 2021 that met the guidelines for inclusion in Appendix B, “Other Events of Interest.”

Appendix C, “Updates on Previously Reported Abnormal Occurrences,” gives updates on previously reported AOs if they remained open during the previous FYs or if significant new information has become available. Appendix C has no updates for this reporting period.

Appendix D, “Glossary,” defines terms used throughout the report. Appendix E, “Conversion Table,” presents conversions commonly used when calculating doses.

In the staff requirements memorandum to SECY-16-0022, “Staff Requirements—SECY-16-0022—Report to Congress on Abnormal Occurrences: Fiscal Year 2015,” dated April 18, 2016, the Commission directed the staff to continue to work with the Agreement States to improve the timeliness, consistency, and completeness of the information reported. The NRC staff, specifically the Regional State Agreements Officers, continue to work closely with the Agreement States to ensure that the NRC obtains necessary information for the AO report in a timely manner. The Regional State Agreements Officers have frequent contact with radiation control program directors in the Agreement States and encourage them to submit information in good time. The staff has no concerns about the timeliness, consistency, and completeness of the information that the Agreement States have recently reported.

RECOMMENDATION:

The NRC staff recommends that the Commission approve the enclosed revised draft FY 2021 AO Report to Congress and the revised proposed letters forwarding the report to Congress.

After receiving Commission approval to proceed, the staff will submit letters to the NRC’s Office of Congressional Affairs to transmit the report to the Speaker of the U.S. House of Representatives, the President of the U.S. Senate, and the NRC’s oversight committees. The Office of Congressional Affairs will then arrange for appropriate distribution to Congress. The NRC staff will also issue a *Federal Register* notice announcing publication of the report.

RESOURCES:

No additional budgetary resources are requested for this effort.

COORDINATION:

The Office of the General Counsel has reviewed the draft FY 2021 AO Report to Congress and has no legal objection.

Daniel H.
Dorman
Daniel H. Dorman
Executive Director
for Operations



Digitally signed by Daniel H.
Dorman
Date: 2022.05.23 12:48:30
-04'00'

Enclosures:

1. NUREG-0090, Volume 44,
“Report to Congress on Abnormal
Occurrences: Fiscal Year 2021”
2. FY21 Letter to Congress on
Abnormal Occurrences

SUBJECT: REPORT TO CONGRESS ON ABNORMAL OCCURRENCES: FISCAL YEAR
2021 DATED: May 23, 2022

ADAMS Accession No: ML22126A002 Pkge SRM-S22-0014

OFFICE	RES/DSA/RPB	RES/DSA/BC	RES/DSA/D	NRR/D
NAME	KNorman	JTomon	KWebber	RTaylor for AVeil
DATE	05/06/22	05/06/22	05/06/22	05/10/22
OFFICE	NMSS/D	R-IV	OGC	RES/D
NAME	JLubinski	SMorris	Ilrvin	RFurstenau
DATE	05/10/22	05/10/22	05/13/22	05/13/22
OFFICE	EDO			
NAME	DDorman			
DATE	05/23/22			

OFFICIAL RECORD COPY