

April 29, 1997

FOR: The Commissioners

FROM: L. Joseph Callan /s/  
Executive Director for Operations

SUBJECT: PROPOSED NRC GENERIC LETTER TITLED "REVISED CONTENTS OF THE MONTHLY OPERATING REPORT"

## PURPOSE:

To inform the Commission, in accordance with the guidance in the December 20, 1991, memorandum from Samuel J. Chilk to James M. Taylor regarding SECY-91-172, "Regulatory Impact Survey Report-Final," of the staff's intent to issue the attached generic letter (Attachment 1). The generic letter notifies addressees that the NRC is requesting the submittal of less information in a modified version of the monthly operating report, and provides for voluntary conformance on the part of addressees.

## DISCUSSION:

The assessment of NRC information-gathering needs has been the subject of several staff reviews. These reviews have focused on identifying duplicative reporting, determining whether some reports could be reduced in scope or eliminated, and determining whether the frequency of reporting could be reduced. In this regard, the NRC staff concluded that the scope of the information requested in the monthly operating report, which is required in Technical Specifications, could be reduced.

NRC initiated the monthly operating report in response to the 1973-1974 oil embargo. Draft Regulatory Guide 1.16, Revision 4, "Reporting of Operating Information - Appendix A, Technical Specifications," published for comment in August 1975, identifies operating statistics and shutdown experience information then desired in the operating report. The NRC initially compiled this information and published it monthly in hard copy form. Although NRC continued to compile this information monthly, beginning in 1990, the agency published it in hard copy form annually and made the data available on diskette monthly. NRC stopped publishing the information in hard copy form after the December 1995 report.

The NRC staff determined that the information submitted in the monthly operating report is a unique source of data for two of the eight performance indicators approved by the Commission for the NRC Performance Indicator (PI) Program. Performance indicator data are fundamental tools used by the NRC staff to independently analyze trends in nuclear power plant safety performance. NRC will retain the monthly operating report because the agency has a continuing need to receive these performance indicator data, and at the same frequency. Attachment 1 to the generic letter delineates the information that is needed for the PI Program.

The NRC also needs to provide data on operating factors to Congress and other government agencies on a regular basis. This information serves as an indicator of the ability of a plant to perform its design function, and provides insights into a plant's safety performance. In addition, senior NRC managers frequently use operating factor data in meetings and presentations. The monthly operating report is a unique source of reliable and timely operating factor data for all commercial nuclear power plants to support the information needs of senior NRC managers. Attachment 1 to the generic letter delineates the operating factor data that are needed.

A notice of opportunity for public comment was published in the *Federal Register* on August 18, 1995. Comments were received from 6 utilities, 2 private industries, 1 university, 1 industry organization, 1 government agency, 3 public interest groups, and 2 individuals (no affiliation). Based on the comments received, it appears that licensees will stand to benefit from the proposed generic letter by not having to devote as many resources to the preparation of the monthly operating report. Nevertheless, the information that the public may need to monitor operational safety at nuclear power plants will still be provided. In this regard, many commenters recommended that availability and capacity factor data should continue to be reported in the monthly operating report since, over the years, a correlation between safety and productive efficiency has been observed. Consequently, availability and capacity factor data will continue to be called for. It is noted that the information on power reductions that is to be deleted from the monthly operating report is not useful to the public for assessing operational safety since, by the time this information appears in the report, the event will have passed and already been assessed for potential safety significance by the licensee and NRC. However, any power reduction initiated because a shutdown is required by a plant's technical specifications, even if the shutdown is not completed, is reportable within one hour under 10 CFR 50.72, and this information is also made publicly available.

Some commenters questioned the need for the present frequency of the report. Although the Performance Indicator (PI) Report, which the monthly operating report will primarily support, will be published annually (this began with the Fiscal Year 1996 report), the Commission has directed the staff to collect PI data on a continuing basis. This is because PI data is also needed to support semiannual Senior Management Meetings, program office and agency annual reports, and special requests by the Commission for current PI information. Therefore, the information will continue to be collected on a monthly basis. The suggestion was also made that NRC consider collecting the data electronically; this aspect is currently being assessed by the agency.

The staff believes that the monthly operating report as currently constituted in Attachment 1 provides an acceptable balance between (1) satisfying the information needs of the agency, the Congress, other government agencies, and the public, and (2) accommodating those commenters that felt reduced reporting would be better. Attachment 2 lists the data that will no longer be requested. Copies of the comment letters that were received are available in the Public Document Room (PDR). A copy of the staff's evaluation of the comments is available in the NRC Central Files and will be made available in the PDR after the generic letter is issued.

The proposed generic letter was endorsed by the Committee to Review Generic Requirements (CRGR) on March 18, 1997.

The Office of the General Counsel (OGC) has reviewed the proposed generic letter and has no legal objection to it. Furthermore, the Office of Management and Budget (OMB) has confirmed that the proposed generic letter is not a major "rule" under the provisions of the Small Business Regulatory Enforcement Fairness Act (see 5 U.S.C., Chapter 8), enacted on March 29, 1996. The Chief Information Officer has no objection to the issuance of the proposed generic letter.

The staff intends to issue this generic letter approximately 5 working days after the date of this information paper.

L. Joseph Callan  
Executive Director for Operations

Contact: James W. Shapaker, NRR  
(301) 415-1151  
Marcel R. Harper, AEOD  
(301) 415-6344

Attachments: 1. Proposed Generic Letter Titled "Revised Contents of the Monthly Operating Report"  
2. Monthly Operating Report Data Being Deleted