

January 20, 1999

FOR: The Commissioners

FROM: William D. Travers /s/  
Executive Director for Operations

SUBJECT: RULEMAKING TO MODIFY REPORTING REQUIREMENTS FOR POWER REACTORS

## PURPOSE:

The purpose of this paper is to provide the staff's proposed plan regarding modification of power reactor reporting requirements.

## BACKGROUND:

In [SECY-98-036](#), "Rulemaking to Modify Event Reporting Requirements for Power Reactors," March 4, 1998, the staff proposed a rulemaking plan to modify the event reporting requirements in 10 CFR 50.72, "Immediate notification requirements for operating nuclear power reactors," and [10 CFR 50.73](#), "Licensee event report system." In a Staff Requirements Memorandum (SRM) dated May 14, 1998, the Commission approved the proposed rulemaking to modify [10 CFR 50.72](#) and 50.73. That rulemaking is ongoing and will be the subject of a separate Commission paper, scheduled for April 1999.

The SRM also directed that "The staff should request industry identification of other reporting requirements that are potential candidates for modifying to a more risk-informed approach in the planned ANPR on 50.72, and include this issue in the agendas for the upcoming workshops on 50.72 and DSI 13. Based on the results from these workshops, a schedule and plan of action should be submitted to the Commission." The staff's proposed plan in this regard is discussed below.

## DISCUSSION:

An advance notice of proposed rulemaking (ANPR) was published on July 23, 1998. Among other things, it requested public comments to identify and propose changes to other reactor reporting requirements (beyond 10 CFR 50.72 and 50.73) that are potential candidates for modifying to a simplified, less burdensome, more risk-informed approach. This issue was included in the agenda for the public meeting on August 21, 1998, to discuss the ANPR, as well as the agenda for the public workshop on September 1, 1998, on DSI 13. Pertinent suggestions were provided at those meetings as well as in written comments on the ANPR.

Recommendations were received to revise reporting rules in the following areas:

1. Amend [10 CFR 50.46\(a\)\(3\)\(ii\)](#) to exclude annual reporting of non-significant errors in and corrections to approved ECCS models and applications.
  2. Delete the requirements for annual reporting of changes made pursuant to [10 CFR 50.59](#).
  3. Amend the requirements for immediate reporting of radiological events in [10 CFR 20.1906\(d\)\(1\)](#), [20.1906\(d\)\(2\)](#), [20.2201\(a\)\(i\)](#), [20.2202\(a\)](#) and [20.2203\(a\)](#).
  4. Amend the requirements for 24-hour reporting of fitness for duty events in [10 CFR 26.73\(b\)](#).
  5. Amend the requirements for 1-hour reporting of safeguards events in [10 CFR 26.73\(b\)](#).
1. For construction permit holders amend [10 CFR 50.55\(e\)](#), in the same fashion as proposed for [10 CFR 50.72](#) and [50.73](#).
  2. [10 CFR 72.75](#) contains the requirement for a four hour report and 30 day written followup report. Revise this requirement to 8 hours and 60 days similar to changes proposed for [10 CFR 50.72](#) and [50.73](#).
  3. [10 CFR 73.71](#) and Appendix G contain requirements for one hour reports. Amend these requirements to 8 hours similar to changes proposed for [10 CFR 50.72](#).

The staff does not propose to initiate rulemaking to address these areas at this time. At this time, the staff resources available to pursue these areas are limited. These areas are of lesser significance and to some degree dependent upon the following three initiatives which are currently in progress:

1. Rulemaking to modify the reactor event reporting requirements in [10 CFR 50.72](#) and [50.73](#).
2. Rulemaking to modify [10 CFR 50.59](#), "Changes, tests and experiments."
3. Modifications to make [10 CFR Part 50](#) risk-informed.

When these three current initiatives are further along, about the end of calendar year 1999, it will be appropriate to consider rulemaking to address the changes recommended above. This consideration of rulemaking will be integrated such that changes to reporting requirements are prioritized and consistent with the other activities underway to reduce unnecessary burden, particularly initiatives to make 10 CFR Part 50 risk-informed.

COORDINATION:

OGC has reviewed this paper and has no legal objection. The Office of the Chief Information Officer has reviewed this paper for information technology and information management implications and concurs in it. The Office of the Chief Financial Officer has reviewed this paper for resource implications and has no objections.

RECOMMENDATION:

That the Commission approve the staff's intention to defer further consideration of the suggested rule changes until the end of calendar year 1999.

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