

Memorandum Responding to ACRS Recommendations

MEMORANDUM TO: Dana A. Powers, Chairman
Advisory Committee on Reactor Safeguards

FROM: William D. Travers
Executive Director for Operations

SUBJECT: PROPOSED RULEMAKING TO MODIFY THE REACTOR EVENT REPORTING REQUIREMENTS IN 10 CFR 50.72 AND 50.73

This is to provide the staff's response to the recommendations of the Advisory Committee on Reactor Safeguard (ACRS) on the subject rulemaking. The Committee recommendations were provided in your letter of March 23, 1999. The staff's responses are provided below.

1. ACRS Recommendation:
The proposed amendment is a significant improvement over the current rule and should be issued for public comment.

Response:

The staff agrees and will recommend publication to the Commission.

2. ACRS Recommendation:

As noted by the staff, reports of equipment surveillance tests that are performed late are not needed provided that the equipment passes the test. The staff should amend the rule to this effect and not just revise the associated regulatory guide.

Response:

The staff agrees and the proposed rule would include this change.

3. ACRS Recommendation:

We endorse the staff proposal to eliminate the requirement to report an unanalyzed condition that compromises plant safety because such a condition would be reported in accordance with other requirements.

Response:

When the staff briefed the ACRS, the draft rule would have eliminated the requirement to report an unanalyzed condition that significantly compromises plant safety on the grounds that other criteria would capture events of interest. However, subsequent to the ACRS briefing, the staff reconsidered this approach and identified several types of reports for which this criterion is needed. Therefore, the proposed rules would retain this criterion (in a slightly modified form). Examples of events that would be reportable under this criterion would include:
 - (1) The accumulation of voids that could inhibit the ability to adequately remove heat from the reactor core, particularly under natural circulation conditions.
 - b. Voiding in instrument lines that results in an erroneous indication causing the operator to misunderstand the true condition of the plant.
 - c. Discovery that a system that is required to meet the single failure criterion does not do so.
 - d. Discovery that fire barriers are missing, such that there would be no safe shutdown train available in case of a fire.

4. ACRS Recommendation:

The staff should examine comprehensively the NRC reporting requirements to ensure that no unnecessary duplications or inconsistencies exist.

Response:

The staff has reviewed other reporting requirements and has not identified unnecessary duplications or inconsistencies beyond those previously identified. The proposed rule will be modified to eliminate any identified cases of conflict or redundancy. In the longer term, changes to other reporting requirements, beyond 10 CFR 50.72 and 50.73, will be addressed as discussed in SECY-97-022 and its associated Staff Requirements Memorandum.

5. ACRS Recommendation:

We fully support the staff's position that licensees should report the actuation of risk-significant systems. Lists of such systems should be plant-specific and should be developed on the basis of probabilistic risk assessment (PRA) insights and individual plant designs. These lists should not be included in the rule.

Response:

The rulemaking package will be revised to specifically invite public comment on alternatives to the proposed rule, including the approach recommended by the Committee.

Please let me know if the Committee has any further questions or comments on the proposed rule.