

# PUBLIC SUBMISSION

<b>As of:</b> 2/5/19 10:10 AM <b>Received:</b> February 04, 2019 <b>Status:</b> Pending_Post <b>Tracking No.</b> 1k3-982n-ehf7 <b>Comments Due:</b> February 04, 2019 <b>Submission Type:</b> Web
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**Docket:** NRC-2018-0201

Elimination of Immediate Notification Requirements for Non-Emergency Events

**Comment On:** NRC-2018-0201-0002

Elimination of Immediate Notification Requirements for Non-Emergency Events

**Document:** NRC-2018-0201-DRAFT-0015

Comment on FR Doc # 2018-25273

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## Submitter Information

**Name:** Amy Aughtman

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## General Comment

Southern Nuclear Operating Company Comments on the Petition for Rulemaking and NRC Proposed Rule regarding, "Elimination of Immediate Notification Requirements for Non-Emergency Events," Docket ID NRC-2018-0201

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## Attachments

NL-19-0081

Secretary  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555-0001  
ATTN: Rulemakings and Adjudications Staff

NL-19-0081

Southern Nuclear Operating Company  
Comments on the Petition for Rulemaking and NRC Proposed Rule regarding, "Elimination of Immediate Notification Requirements for Non-Emergency Events," Docket ID NRC-2018-0201

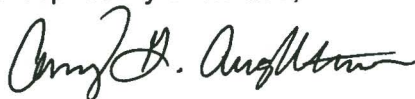
Ladies and Gentlemen:

In response to Federal Register Notice 83 FR 58509 released on November 20, 2018, Southern Nuclear Operating Company (SNC) is hereby providing comments on the NRC's consideration of the Petition for Rulemaking regarding the immediate notification requirements for operating nuclear power reactors. (Docket ID NRC-2018-0201 and PRM-50-116).

SNC comments have been consolidated and included in the enclosure to this letter.

This letter contains no NRC commitments. If you have any questions, please contact me at 205.992.7006.

Respectfully submitted,



Amy G. Aughtman  
Nuclear Development Licensing Manager

AGA/kmo/scm

Enclosure: SNC Comments on Docket ID NRC-2018-0201

cc: Southern Nuclear Operating Company  
Mr. M. D. Meier, Vice President – Regulatory Affairs  
SNC Document Services - RType: CGA02.001

**Southern Nuclear Operating Company  
Comments on the Petition for Rulemaking and NRC Proposed Rule regarding,  
“Elimination of Immediate Notification Requirements for Non-Emergency Events,”  
Docket ID NRC-2018-0201**

**Enclosure**

**SNC Comments on Docket ID NRC-2018-0201**

### **NRC Request for Comments**

In accordance with the guidance in the Federal Register Notice, SNC offers the following comments to the five questions posed by the NRC staff regarding this petition:

*1. The NRC publishes the event notifications it receives from licensees on the NRC's public website every weekday. Do you or does your organization regularly review these event notifications? If so, please describe your use of this information and explain how the elimination of all non-emergency event notification requirements would affect you or your organization.*

Comments: While some areas of our business may review event notifications for use as potential operational experience (OE), the review of 10 CFR 50.72 event notifications is not pertinent to the day-to-day operation of a nuclear power plant by our operators. Since OE is routinely shared throughout the nuclear industry and across multiple platforms, the elimination of all non-emergency event notifications would have little to no impact on our organization.

*2. If all non-emergency event notification requirements were removed from § 50.72, the NRC would still receive licensee event reports within 60 days of discovery of the event as required by § 50.73 unless there is no corresponding § 50.73 report. These reports typically contain a more detailed account of the event and are released to the public in ADAMS after receipt. There is no corresponding § 50.73 report for § 50.72(b)(2)(xi) for a news release or notification to other government agencies, § 50.72(b)(3)(xii) for transportation of a radioactively contaminated person, and § 50.72(b)(3)(xiii) for major loss of emergency assessment capability. Would the public release of licensee event reports alone meet your needs? Please explain why or why not.*

Comments: The requirement to submit a § 50.72 report for the three aforementioned events is burdensome, and does not provide value commensurate with the resource needs and benefit to plant safety. Furthermore, the on-site NRC resident inspector is always apprised of these events and other important activities at the station. The resident inspector can gauge the significance of the events and take action as appropriate, including notifying more NRC personnel at the Region II office or NRC Headquarters in Washington D.C.

A major loss of emergency assessment capability will always be promptly corrected in accordance with the station's robust Corrective Action Program (CAP). One of the roles of the on-site NRC resident inspectors is to investigate or provide oversight of station events and activities as necessary. Thus, any significant issues would be written-up by the NRC resident inspector in their Inspection Reports. This type of open and continuous conversation with the NRC resident inspectors takes place regardless of the need to submit a § 50.72 or a § 50.73 report. In short, these three § 50.72 notifications are redundant to the normal flow of communications through the resident.

*3. The petitioner asserts that the nonemergency notifications under § 50.72 "create unnecessary burdens for both the licensee and the NRC staff, and should be eliminated." What specific provisions in § 50.72, if any, do you consider to be especially burdensome (e.g., the timing requirements for submittal of event notifications, certain types of event notifications)? Please provide a supporting justification, as appropriate.*



Comments: The requirement under § 50.72 to submit an immediate notification is a duplication of efforts by the Licensee, who already notifies the NRC resident in accordance with their notification agreement. Upon notification by the Licensee, the NRC resident in turn notifies the NRC Region. Separate notifications to NRR headquarters are unnecessary and further distract the Licensee from applying the necessary resources to address the issue at hand.

Furthermore, the time allotted for the Licensee to assess and report an issue are very unreasonable. The value gained by the NRC in receiving an immediate notification of a non-emergency event is not commensurate with the amount of time and resources expended by the Licensee or the benefit to plant safety. Licensees also incur substantial administrative burdens such as the training of personnel on the § 50.72 requirements and the associated NUREG-1022 interpretations, writing and revising reporting procedures, and the associated recordkeeping and document control efforts.

*4. The petitioner asserts that § 50.72 non-emergency notifications are contrary to the best interests of the public and are contrary to the stated purpose of the regulation. Do you agree with this assertion? Please explain why or why not.*

Comments: Yes, SNC agrees that the regulation is contrary to the best interest of the public. The burden of assessing and reporting an issue under § 50.72 occurs at a crucial time when operators, plant personnel, and management have to be focused on responding to the event itself. The public is best served when plant personnel are focused on matters of most importance to the protection of their health and safety. The § 50.72 notification process overall is a distraction from the important duties of our operators and plant staff.

The purpose of the regulation is to immediately notify the NRC in Washington D.C. of non-emergency events so that the NRC can immediately act to assist the plant. NRC resident inspectors have real-time, unfettered access to all the events and associated activities at the plants; therefore, they are best positioned to make any further notifications to the NRC, whether at the Region II office or Headquarters.

*5. Are there alternatives to the petitioner's proposed changes that would address the concerns raised in the petition while still providing timely event information to the NRC and the public? Please provide a detailed discussion of any suggested alternatives.*

Comments: As an alternative, the NRC should consider eliminating both the § 50.72 and § 50.73 non-emergency reports. This change would further reduce burdensome regulation and prevent unnecessary distractions from more important safety matters. As discussed in the response to Question 1, Licensees already have access to various industry platforms in order to obtain pertinent OE information.