



Wisconsin Electric POWER COMPANY
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Received by
DRPI
8/4/81.

July 20, 1981

Mr. J. G. Keppler, Regional Director
Office of Inspection and Enforcement,
Region III
U. S. NUCLEAR REGULATORY COMMISSION
799 Roosevelt Road
Glen Ellyn, Illinois 60137

Dear Mr. Keppler:

DOCKET NOS. 50-266 AND 50-301
CLARIFICATION OF NRC REPORTING REQUIREMENTS
10 CFR 50.72
POINT BEACH NUCLEAR PLANT, UNITS 1 AND 2

This letter is in response to your letter of June 3, 1981 in which specific comments were provided on our guide DCS 1.12.1, entitled "Requirements and Guidance for Immediate Notification to NRC of 'Significant Events' at PBNP". It should be noted at the onset of this discussion that with the revision of the Point Beach Emergency Plan on April 1, guide DCS 1.12.1 has been revised to conform with the revised Emergency Plan. This revision has the effect of fulfilling comment numbers 2, 3, and 5 of your June 3 letter. Specific replies to other comments are presented below on a corresponding item-by-item basis.

1. Comment No. 1 requested a revision to Section 2.1 of our guide to reflect the one-hour reporting limitation and to specify that the clock starts upon discovery, not following internal notifications and discussions. The one-hour requirement is clearly spelled out in the guide. Personnel charged with reporting responsibilities under this procedure are well aware of this time limitation. It has been our policy that an event is determined to be reportable following a reasoned recognition of the initiating indications. This concept has been held as valid through 10 CFR 21 and licensee event reporting. Reactor safety is, and must remain, however, of paramount importance. It is expected that this reporting process will always allow initial NRC contact within a one-hour time from the initiation of a

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reportable event; however, no compromise of reactor safety will be allowed. Thus, no revision to Section 2.1 is anticipated or warranted.

2. In Comment No. 4 you state that the parameters which determine the DNB safety limit should be reflected in the procedure. It must be remembered that the small print in our procedure is intended to only provide guidelines and interpretations of the 10 CFR 50.72 sections. It is not the intent, nor should it be the intent, of this guidance to attempt to encompass the wide variety of potential indicators of DNB. The Technical Specification section is referenced for the specific purpose of providing information as to where the indicative parameters of DNB can be found and reviewed.
3. In Comment No. 6 of your letter you implied that security event reporting should be in accordance with 10 CFR 73.71. Such reporting is beyond the scope of DCS 1.12.1 and is covered by other administrative means.
4. We believe those serious events noted in your Comment No. 7 which could have an impact on public health and safety are covered in our interpretation of 10 CFR 50.72, Item (3). Reporting under this provision would ensue should the use of any of the reactor plant-related emergency operating procedures (EOP's) become necessary. To change the wording of this section to encompass all the potentially reportable events would be contrary to the guide format.
5. Based upon your Comment No. 8, excluding partial actuations of safeguards or reactor protective systems would support our statement that "Turbine runbacks are not considered as being reportable in accordance with this item." Therefore, no further revision to this item is considered necessary.
6. Your Comment No. 9 again states that the one-hour reporting requirement applies to our comments on 10 CFR 50.72, Item 10, serious personnel radioactive contamination. It is not anticipated that once such an event has been evaluated as being reportable that delay would be incurred. It should be pointed out that this type of event falls into a category requiring review and analysis to determine reportability. Personnel health and safety is always first priority.

7. We do not agree with your interpretation of 10 CFR 50.72, Item 11, in Comment No. 10 which would require immediate (one-hour) reporting of events which under 10 CFR 20.403 require only 24-hour notification. This example serves to underscore the original request included in our June 4, 1980 letter to Mr. Samuel J. Chilk, secretary of the Commission, to provide some measure of consistency to the growing multitude of NRC-required reports. We continue to maintain, in the absence of other directives, that only those events falling under the immediate notification provisions of 10 CFR 20.403 are included in the reporting requirements of 10 CFR 50.72.
8. Your Comment No. 11 requiring reporting of strikes which prevent shift relief of either operating or security personnel within four hours of the normal shift relief time would be covered under our interpretation.
9. Comment No. 12 states that transport means to an off-site medical facility should not be limited to conveyance by an ambulance. The procedure used at Point Beach Nuclear Plant in the event of the transport of an injured person off site (Emergency Plan Implementing Procedure EPIP 11.1) states specifically that the dedicated, Company-owned emergency vehicle is to be used. This vehicle is designated as an ambulance for the purposes of reporting under this provision and no further clarification is necessary.
10. Your Comment No. 13 is noted and accepted.

The reactor trip during low-power physics testing referenced in our letter dated May 26, 1981 which resulted in a Notice of Violation dated June 17, 1981 occurred at 0029 hours on May 21, 1981. The reactor automatically tripped due to a low-low steam generator level while steam generator level was in manual control. This occurred while performing rod worth measurements via the rod swap method, utilizing test procedure WMTP2 4.3. When this trip occurred, it was evaluated as not falling within the intent of 10 CFR 50.72 since this trip failed the test of "serious events that could result in an impact in public health and safety" as stated in the implementing Federal Register notice for 10 CFR 50.72. Your letter of June 3 acknowledges this interpretation in stating that this trip "may not be

Mr. J. G. Keppler

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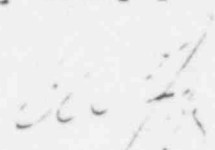
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of particular significance". To eliminate future misunderstandings, the concept of "serious events that could result in an impact on public health and safety" should be more clearly delineated.

While the comments you have provided to our guide 1.12.1 have been of value, the basic concerns of our letters to you of March 31 and May 26, 1981 and to Mr. Denton of December 8, 1980 remain unresolved. Since our first letter to Mr. Chilk dated June 4, 1980, over one year ago, we have identified various inconsistencies in the multitude of reports which are required by the NRC. An example of these inconsistencies is the differences in methods of reporting events affecting the security of special nuclear materials. 10 CFR 50.72 requires immediate reporting to the Nuclear Operations Center in Bethesda via the dedicated telephone line. 10 CFR 73.71 requires an immediate report via telephone to the NRC Regional Office. Another example of inconsistency and conflict was discussed under item 7 above.

These reporting inconsistencies have served to increase the burden on an operating plant staff and have the potential to divert operating personnel from attention to reactor plant safety. What is needed is a review of all the reporting requirements now in effect followed by removal of those not necessary for reactor plant safety or the protection of public health and safety. Further, a consolidated listing of necessary reports should be prepared. Only in this manner can useful, consistent reporting of significant events be assured.

Very truly yours,


C. W. Fay, Director
Nuclear Power Department

Copy to NRC Resident Inspector