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**ILLINOIS  
POWER**

Illinois Power Company  
Clinton Power Station  
P.O. Box 678  
Clinton, IL 61727  
Tel 217 935-8881

John L. Gooker  
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David L. Meyer, Chief  
Regulatory Publications Branch  
Division of Freedom of Information and Public Services  
Office of Administration  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Subject: DRAFT NUREG-1022, Revision 1 Comments

Dear Sir:

On October 7, 1991, the NRC issued for public comment a draft of Revision 1 to NUREG-1022, "Event Reporting Systems - 10 CFR 50.72 and 50.73, Clarification of NRC Systems and Guidelines for Reporting." (See 56 Fed. Reg. 50598.) The NRC Staff Event Reporting Task Group developed this document to clarify existing guidance related to the reporting of potentially safety significant events and conditions pursuant to 10 CFR 50.72 and 50.73. Illinois Power (IP) appreciates the opportunity to provide its comments on this document.

Over the two years prior to issuance of the draft Revision 1 to NUREG 1022, the BWR Owners' Group (BWROG), through the Nuclear Management and Resources Council (NUMARC), has provided input to the NRC staff to assist in the development of mutually acceptable reporting guidance. In this context, the BWROG developed and submitted to the NRC staff a comprehensive proposed guidance document that sought to incorporate experience since the implementation of the Licensee Event Report (LER) reporting rules and prior NRC guidance in this area. That document was the product of extensive efforts by the BWROG, including implementation of documented guidance concepts presented at a meeting with the NRC staff. The document was provided informally, through NUMARC, to the NRC staff for consideration in March 1991. IP was an active participant in this BWROG effort.

After reviewing the subject NUREG it is not apparent that the input provided to the NRC through the BWROG effort was considered in the development of this document. IP is concerned that major portions of the subject NUREG will significantly expand the scope of reporting under the provisions of 10CFR50.72 and 50.73 by lowering the threshold for reportability resulting in a significant increase in the number of Emergency Notification System (ENS) notifications and LERs. The draft NUREG also provides new or different staff positions that should be analyzed to demonstrate that the changes meet 10CFR50.109. We believe these new NRC staff positions extend beyond the intent of the current regulations as well as the original NRC staff interpretations of those provisions. This could result in superfluous reporting and thus the unnecessary expenditure of additional NRC staff and utility resources with no significant increase in the level of safety benefit. Additionally, the

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additional information provided in accordance with the augmented reporting requirements can, in some cases, be obtained from other sources such as inspection reports.

We have reviewed the comments provided by the BWROG and NUMARC. With respect to the comments provided by the BWROG and NUMARC, IP endorses those comments as provided by letter BWROG-92010, dated January 30, 1992 to the NRC from the BWROG and supports the position expressed therein.

We believe the following are general examples of new NRC positions regarding reportability sought to be imposed through the revised NUREG, each of which would significantly alter IP's reporting obligations. These general examples are excerpted from the BWROG letter to the NRC. Specific examples and supporting information supporting these general examples are provided in the BWROG letter.

- \* Under current regulations and NRC staff positions reflected in the original NRC staff guidance concerning those regulations, the NRC requires reporting of conditions outside the regulatory design basis of the plant. Contrary to this position, the NRC Staff position in Draft NUREG-1022, Revision 1, would expand these reporting obligations to include conditions outside the "engineering design basis" as well as the "licensing basis." The distinction between these standards is significant. Only the former, regulatory design basis (defined in 10 CFR 50.2), is considered in existing reporting regulations. The other two elements are far more broad (regulatory design basis being a subset of each). This new position would significantly expand reporting obligations. (For instance, it has been noted that under the interpretation adopted in the draft revision individual weld anomalies would now be reportable, as would virtually any deviation from any provision of any industry code applied to any component).
- \* Under a number of current reporting provisions licensees are to consider whether certain conditions have adversely impacted the plant or specific systems. Also, reporting of engineered safety feature (ESF) actuations heretofore focuses on system actuation. The new positions described in Draft NUREG-1022, Revision 1, would lower these thresholds (contrary to the terms of the regulation and prior NRC staff positions interpreting those provisions) to include conditions involving individual components. Similarly, for the first time, reporting the movement (not actuation) of a single component of an ESF system would now be required. Disturbingly, these "component-level" conditions may not have impacted the plant or the systems involved in the manner dictated by current reporting requirements. These changes would substantially expand reporting obligations under these provisions.
- \* Draft NUREG-1022, Revision 1, would redefine ESF systems for reportability purposes, regardless of a plant's licensing basis (i.e., additional systems would be added for reporting purposes, even if they are not ESF-type systems as defined relative to the safety analysis in the plant's Safety Analysis Report, and would also redefine the Reactor Protection Systems (also without regard to the existing licensing basis). Further, the draft revision

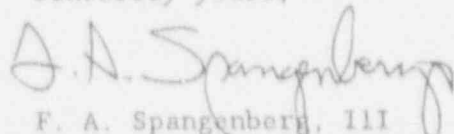
would for the first time dictate reporting of conditions related to non-safety related systems designed solely to address "Anticipated Transient Without Scram" (ATWS) scenarios.

- \* Certain descriptions of reportable conditions explicitly (either in the current regulations or previous NRC staff guidance) limit the impacts of concern for reportability to safety-related activities. For instance, prior guidance related to internal threats required the event to hamper the performance of "safety-related activities." The new guidance provided in Draft NUREG-1022, Revision 1, would expand the scope of such reporting these events to include those impacting non-safety related activities.
- \* Contrary to prior guidance, Draft NUREG-1022, Revision 1, could be read to obligate licensees to report every violation of the administrative requirements set forth in the Administrative Controls section of Technical Specifications, whether or not the violation had any impact on safe operation of the plant.
- \* Several elements of the proposed guidance raise concerns regarding potentially redundant reporting requirements and inefficiencies in obtaining much of the information apparently now desired by the NRC staff. Specifically, this information includes detailed operating data regarding individual components and non-safety related activities outside the scope of 10 CFR 50.72 and 50.73. The NRC staff should consider whether existing informational sources (e.g., monthly operating reports, NPRDS) already provide, or may be utilized to provide, such information.

In conclusion, IP believes the industry and NRC effort and dialogue to reach a consensus regarding reporting guidance must be continued. Until this can be achieved the existing guidance documents should continue to be used.

IP appreciates your consideration of the comments provided both in this letter and by the BWROG.

Sincerely yours,



F. A. Spangenberg, III  
Manager, Licensing and Safety

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cc: NRC Clinton Licensing Project Manager  
NRC Resident Office  
Regional Administrator, Region III, USNRC  
Illinois Department of Nuclear Safety