



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

MAY 24 1984

AB46-1
SG
PDR
Dwyer
McCauley

MEMORANDUM FOR: John G. Davis, Director
Office of Nuclear Material Safety
and Safeguards

FROM: C. J. Heltemes, Jr., Director
Office for Analysis and Evaluation
of Operational Data

SUBJECT: PROPOSED REVISIONS TO 10 CFR 73.71, SAFEGUARDS REPORTING
REQUIREMENTS

As requested by your memo dated May 14, 1984, we have reviewed the proposed revision to 10 CFR 73.71. We strongly support the efforts apparent in this revision to make 73.71 consistent with 50.72, "Immediate Notification Requirements of Significant Events at Operating Nuclear Power Plants" and 50.73, "License Event Report System."

We have some comments (enclosed) that we believe would make 73.71 and 50.73 more consistent. Subject to these comments, I concur in the proposed revision.

Please contact Fred Hebdon (x24480) if you have any questions concerning this matter.

C. J. Heltemes, Jr.
C. J. Heltemes, Jr., Director
Office for Analysis and Evaluation
of Operational Data

Enclosure:
As stated

cc w/enclosure:
PDwyer, NMSS
EWeiss, IE
EJordan, IE
ERossi, IE
KBlack, AEOD

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Comments on the Proposed Revision
to 10 CFR 73.71
Safeguards Reporting Requirements

1. Attachment 1, page 4, first paragraph: change the first line to read, "The requirements of §73.71 are consistent with those of §§50.72 and 50.73."
2. Attachment 1, page 4, first paragraph: change the last sentence to read, "Events of a dual nature (i.e., having both safety and safeguards implications) do not require duplicate reports."
3. Attachment 1, page 9, section 73.71(a)(4): We suggest that for facilities with an assigned Resident Inspector, a copy of the report should be provided to the Resident Inspector.
4. Attachment 1, page 9: add a new section [73.71(a)(6)] which states, "(6) Errors discovered in a written report should be corrected in a revised report. In addition, significant supplemental information should be reported in a revised report. The revised report should replace the previous report; therefore, the update should be a complete entity and not contain only supplementary or revised information.

Only substantial information (e.g., material located, discovery of reason for loss) that would significantly change a reader's perception of the course or consequences of an event need to be reported as a revised report."

5. Attachment 1, page 11, paragraph 73.71(d): change the second sentence to read "If the facility is subject to 50.73 of this chapter, the written reports shall be prepared on NRC Forms 366 and 366A. Facilities not subject to 50.73 should not use these forms but shall submit the written report in letter format. In either case the report shall include..." The written report should be prepared on NRC Form 366 only if the facility is an operating commercial nuclear power plant (i.e., the facility is subject to 50.73).
6. Attachment 1, page 11, paragraph 73.71(e): change the section to read, "Duplicate reports are not required for events that are also reportable in accordance with §§50.72 and 50.73 of this chapter."
7. Attachment 2, page 2, second paragraph: replace the second sentence with the text from item 4 above.
8. Attachment 2, page 2, third paragraph: replace the paragraph with the text from item 5 above.
9. Attachment 2, page 3, paragraph II.a.: change the sentence that begins, "All written reports..." to be consistent with the text in item 4 above.

10. Attachment 2, page 3, paragraph II.a.: "If the report contains Unclassified Safeguards Information and the LER form is used, it must be appropriately marked (i.e., Item 17 of NRC-366A). Safeguards and security information should be included only in the text (Item 17) (i.e., safeguards and security information should not be included in the abstract (Item 16)). In addition, the text should clearly indicate the information that is safeguards or security information. Finally, the requirements of §73.21(g) must be met when transmitting proprietary information."
11. Attachment 2, page 11, item 1: replace the item with, "If the facility is subject to 50.73, use of Form NRC 366 and 366A are required (See NUREG-1022 and Supplement 1 to NUREG-1022, "Licensee Event Report System" for additional information on the use of these forms). Facilities not subject to 50.73 should not use these forms but should submit the required information in a letter report."
12. Attachment 2, page 11, item 2: replace the introductory sentences with, "For all events include, as a minimum, the following information in the report. If the facility is subject to 50.73, this information should be provided in the text area to Form NRC 366A. Multiple sheets of Form NRC 366A may be used."