



10/13/2011
76 FR 63565

Scott A. Bauer, Chairman
STARS Regulatory Affairs
1776 I St, NW, Suite 400,
Washington, DC 20006-3708

STARS-11006

December 14, 2011

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Ms. Cindy K. Bladey
Chief, Rules, Announcements and Directives Branch
Office of Administration, Mail Stop: TWB-05B01M
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

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RULES AND DIRECTIVES
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**STRATEGIC TEAMING AND RESOURCE SHARING (STARS)
COMMENTS Draft NUREG-1022, Revision 3, "Event
Reporting Guidelines: 10 CFR 50.72 and 50.73"
(Docket ID NRC-2011-0237)**

- Reference:
1. 76 FR 63565 Draft NUREG; request for comment, dated October 13, 2011
 2. NEI Letter from Chris Earls to Cindy K. Bladey dated December 6, 2011, Comments on Draft NUREG-1022, Revision 3

Dear Ms. Bladey,

The Strategic Teaming and Resource Sharing (STARS)¹ alliance is submitting comments in response to the referenced Federal Register notice soliciting comments on Draft NUREG-1022, Revision 3, "Event Reporting Guidelines: 10 CFR 50.72 and 50.73." STARS appreciates the opportunity to comment on NUREG-1022.

STARS has actively participated on the industry's NUREG-1022 team reviewing proposed changes to NUREG-1022. STARS endorses the comments submitted by NEI (Reference 2). STARS is particularly concerned with the impact of the proposed changes as described below.

The proposed changes would result in a significant increase in reporting of Safety System Functional Failures (SSFFs) (i.e., Section 3.2.7, "Event or Condition that Could Have Prevented Fulfillment of a Safety Function"), when, in many of the cases, there was no loss of safety function. This increase in reporting is due to an expanded list of systems to be considered in scope, as well as, the inclusion of all "inoperable" systems.

¹ STARS consists of thirteen plants at seven stations operated by Luminant Power, AmerenUE, Wolf Creek Nuclear Operating Corporation, Pacific Gas and Electric Company, STP Nuclear Operating Company, Arizona Public Service Company, and Southern California Edison.

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Add = A. Lewin (AXT-3)

Systems within scope for SSFFs should be only those systems credited in the accident analysis that specifically support safety functions A through D in the rules. This is consistent with the current rule language, statements of consideration, and industry practice.

Currently, inoperable systems within scope are reported as SSFFs only if the safety function is lost. For example, a safety system may not meet requirements of Technical Specifications due to failure to meet a surveillance requirement (i.e., Surveillance Requirement of 3000 gpm vs. 2990 actual gpm) but may still be capable of performing its credited safety function (i.e., 2900 gpm credited in the safety analysis). In this example, the credited safety function is met, but under the proposed change the condition would be classified as a loss of safety function and would be reportable.

The proposed NUREG-1022 draft deleted the entire section on Part 21 reporting. This will make NUREG-1022 inconsistent with NRC supporting statements accompanying the 1991 revision of Part 21. The Part 21 Rule explicitly allows reporting under 50.72/50.73 so deleting guidance for Part 21 in NUREG-1022 will sever an important and intended relationship between the two rules.

Proposed changes to the guidance for 10 CFR 50.72 will now require telephonic reporting of events at the time of discovery even if the event is no longer ongoing at the time of discovery. There is little value in making phone calls for an event that has terminated when the event still requires a written report.

The Regulatory Analysis associated with the proposed changes is flawed in that it significantly underestimates the regulatory burden associated with the changes.

In summary, the draft changes proposed in NUREG-1022 Revision 3 will result in a significant increase in the reporting of issues that are not safety-significant. The effect will be to divert NRC and industry attention and resources from safety significant issues.

Thank you for your consideration of these comments. If there are any questions regarding these comments, please contact me at 202-739-8058 or sab@nei.org, or Carl Corbin at 254-897-0121, or carl.corbin@luminant.com.

Sincerely,



Scott A. Bauer, Chairman
STARS Regulatory Affairs