

NUCLEAR REGULATORY COMMISSION

10 CFR Part 50

Reporting Requirements for Nuclear Power Reactors; Meeting

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of public meeting.

SUMMARY: The Nuclear Regulatory Commission (NRC) is announcing a public meeting to discuss a proposed rule that would modify power reactor reporting requirements.

DATES: Tuesday, August 3, 1999 and Wednesday, August 4, 1999.

ADDRESSES: The public meeting will be held in the auditorium of NRC's headquarters at Two White Flint North, 11545 Rockville Pike, Rockville, Maryland 20852.

FOR FURTHER INFORMATION CONTACT: Dennis P. Allison, Office of Nuclear Reactor Regulation, Washington DC 20555-0001, telephone (301) 415-1178, e-mail dpa@nrc.gov.

SUPPLEMENTARY INFORMATION:

Background

On July 6, 1999 (64 FR 36291) the NRC published in the **Federal Register** a proposed rule that would modify reporting requirements for nuclear power reactors contained in 10 CFR 50.72, "Immediate notification requirements for operating nuclear power reactors," and 10 CFR 50.73, "Licensee event report system." In addition, that **Federal Register** notice indicated that a draft report, NUREG-1022, Revision 2, "Event Reporting Guidelines, 10 CFR 50.72 and 50.73," is being made available for public comment concurrently with the proposed amendments to 10 CFR 50.72 and 50.73. Furthermore, it indicated that a draft regulatory analysis on the proposed rule is being made available for public comment concurrently with the proposed rule.

The proposed rule, the draft event reporting guidelines, and the draft regulatory analysis may be viewed and downloaded electronically via the interactive rulemaking web site established by NRC for this rulemaking. The interactive rulemaking site may be accessed from the NRC home page (<http://www.nrc.gov>) as follows. Select "Rulemaking" from the tool bar at the bottom of the home page. Then select "Rulemaking Forum" near the top of the rulemaking page. (For further information about the interactive rulemaking website, contact Ms. Carol

Gallagher, (301) 415-5905; e-mail CAG@nrc.gov.)

In addition, these documents are available for inspection in the NRC Public Document Room, 2120 L Street, NW, (Lower Level), Washington, DC. Single copies may be obtained from the contact listed above under the heading **FOR FURTHER INFORMATION CONTACT**.

Purpose

The purpose of the meeting is to discuss the proposed amendments to 10 CFR 50.72 and 50.73, including the draft event reporting guidelines and the draft regulatory analysis.

Participation

To facilitate orderly conduct of the meeting, members of the public who wish to speak should contact the cognizant NRC staff member listed above under the heading "For Further Information Contact" to register in advance of the meeting. Indicate as specifically as possible the topic(s) of your comment(s) and the length of time you wish to speak. Provide your name and a telephone number where you can be contacted, if necessary, before the meeting. Registration to speak will also be available at the meeting on a first come basis to the extent that time is available.

Agenda for August 3, 1999

9:00 a.m.-9:30 a.m.
Introductory Remarks
9:30 a.m.-11:00 a.m.
Discussion of Proposed Amendments by the NRC Staff
11:00 a.m.-12:30 p.m.
Public Comments and Statements
12:30 p.m.-1:30 p.m.
Lunch Break
1:30 p.m.-4:45 p.m.
Public Comments and Statements (Continued)
4:45 p.m.-5:00 p.m.
Concluding Remarks

It is expected that public comments and statements can be concluded on the first day. However, if that is not the case, the meeting will be continued into a second day. If so, the agenda for the second day will be as follows.

Agenda for August 4, 1999

9:00 a.m.-9:15 a.m.
Introductory Remarks
9:15 a.m.-12:15 p.m.
Public Comments and Statements (Continued)
12:15 p.m.-12:30 p.m.
Concluding remarks

Input Solicited

Questions and comments on any aspect of the proposed rule are solicited.

In addition, as discussed in the proposed rule, the NRC specifically solicits input the following areas:

(1) In the interest of simplicity, the proposed amendments would maintain just three basic levels of required reporting times in 10 CFR 50.72 and 50.73 (1 hour, 8 hours, and 60 days). However, public comment is specifically invited on the question of whether additional levels should be introduced to better correspond or particular types of events. For example, 10 CFR 50.72 currently requires reporting within 4 hours for events that involve low levels of radioactive releases, and events related to safety or environmental protection that involve a press release or notification of another government agency. These types of events could be maintained at 4 hours so that information is available on a more timely basis to respond to heightened public concern about such events. In another example, events related to environmental protection are sometimes reportable to another agency, which is the lead agency for the matter, with a different time limit, such as 12 hours. These types of events could be reported to the NRC at approximately the same time as they are reported to the other agency.

(2) In the proposed amendments the term "any engineered safety feature (ESF), including the reactor protection system (RPS)," which currently defines the systems for which actuation must be reported in § 50.72(b)(2)(iv) and § 50.73(a)(2)(iv), would be replaced by a specific list of systems. This proposal to list the systems in the rule is controversial and public comment is specifically invited in this area. In particular, three principal alternatives to the proposed rule have been identified for comment:

(a) Maintain the status quo. Under this alternative, the rule would continue to require reporting for actuation of "any ESF." The event reporting guidelines in NUREG-1022 would continue to indicate that reporting should include, as a minimum, the systems on a specific list.

(b) Require use of a plant-specific, risk-informed list. Under this alternative, the list of systems would be risk-informed, and plant-specific. Licensees would develop the list based on existing probabilistic risk assessments, judgment, and specific plant design. No specific list would be provided in the rule.

(c) Return to the pre-1998 situation (i.e., before publication of the event reporting guidelines in NUREG-1022, Revision 1). Under this alternative, the rule would continue to require reporting

for actuation of "any ESF." The event reporting guidelines would, once again, indicate that reporting should include those systems identified as ESF's for each particular plant (e.g., in the Final Safety Analysis Report).

(3) The NRC is developing revisions to the process for oversight of operating reactors, including inspection, assessment and enforcement processes. In connection with this effort, the NRC has considered the kinds of event reports that would be eliminated by the proposed rules and believes that the changes would not have a deleterious effect on the oversight process. Public comment is invited on whether or not this is the case. In particular, it is requested that if any examples to the contrary are known they be identified.

(4) The proposed amendments would add provisions to sections 50.73(a)(2)(i)(B) and 50.73(a)(2)(v) to eliminate reporting of a condition or event that did not occur within three years of the date of discovery. Public comment is invited on whether such historical events and conditions should be reported (rather than being excluded from reporting, as proposed). Public comment is also invited on whether the three year exclusion of such historical events and conditions should be extended to all written reports required by section 50.73(a) (rather than being limited to these two specific reporting criteria, as proposed).

(5) The proposed amendments would add a new reporting criterion to require reporting if a component is in a degraded or non-conforming condition such that: (a) The ability of the component to perform its specified safety function is significantly degraded; and (b) the condition could reasonably be expected to apply to other similar components in the plant. Public comment is invited on whether this proposed new criterion would accomplish its stated purpose—to ensure that design basis or other discrepancies would continue to be reported if the capability to perform a specified safety function is significantly degraded and the condition has generic implications. Public comment is also invited on whether the proposed new criterion would be subject to varying interpretations by licensees and inspectors.

(6) Many States (Agreement States and Non-Agreement States) have agreements with power reactors to inform the States of plant issues. State reporting requirements are frequently triggered by NRC reporting requirements. Accordingly, the NRC seeks State comment on issues related to

the proposed amendments to power reactor reporting requirements.

(7) The President's Memorandum dated June 1, 1998, entitled, "Plain Language in Government Writing," directed that the Federal government's writing be in plain language. The NRC requests comments on this proposed rule specifically with respect to the clarity and effectiveness of the language used.

(8) The Commission has prepared a draft regulatory analysis on this proposed rule. The analysis examines the costs and benefits of the alternatives considered by the Commission. It is available as discussed above under the heading "Background." The Commission requests public comment on this draft analysis.

Dated at Rockville, Maryland, this 16th day of July, 1999.

For the Nuclear Regulatory Commission.

Cynthia A. Carpenter,

Chief, Generic Issues, Environmental, Financial and Rulemaking Branch, Division of Regulatory Improvement Programs, Office of Nuclear Reactor Regulation.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-NM-325-AD]

RIN 2120-AA64

Airworthiness Directives; Dassault Model Falcon 10 and Model Mystere-Falcon 50 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Dassault Model Falcon 10 and Model Mystere-Falcon 50 series airplanes. For certain airplanes, this proposal would require modification of the aircraft wiring to illuminate the "T/O CONFIG" red warning light on the cockpit warning panel. For certain other airplanes, this proposal would require installation of a "NO TAKEOFF" red light on each pilot's instrument panel; modification of the associated aircraft wiring to activate the lights whenever the aircraft is not in the proper configuration for take-off; and a revision to the Airplane Flight Manual to check that the "NO TAKEOFF" lights are out

prior to take-off. This proposal is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by the proposed AD are intended to prevent take-off with the parking brake engaged, which could result in an extended take-off roll or a rejected take-off, and consequent runway overrun.

DATES: Comments must be received by August 23, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-325-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Dassault Falcon Jet, P.O. Box 2000, South Hackensack, New Jersey 07606. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT:

Norman B. Martenson, Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2110; fax (425) 227-1149.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.