

65FR 15387
March 22, 2000



VIRGINIA POWER

April 27, 2000

GL00-018

Rules and Directives Branch
Office of Administration
U. S. Nuclear Regulatory Commission
Washington, DC 20555-0001

**DRAFT REGULATORY GUIDE, DG-1075,
"EMERGENCY PLANNING AND PREPAREDNESS
FOR NUCLEAR POWER REACTORS"**

Virginia Power appreciates the opportunity to comment on the proposed guidance on methods acceptable to the NRC staff for complying with the NRC's regulations for emergency response plans and preparedness at nuclear power reactors. The request for comment appeared in the Federal Register, Vol. 65, No. 56, on Wednesday, March 22, 2000, pages 15397-15398.

We support Draft Regulatory Guide DG-1075's endorsement of a new alternative for developing emergency action levels (EALs), i.e., NEI 99-01 "Methodology for Development of Emergency Action Levels" (Final Draft Revision 4, February 2000), with the following comments:

1. The endorsement of industry-developed guidance (for events which can occur in the shutdown and refueling modes of plant operation) for use on a voluntary basis will allow licensees to determine the site-specific need, priority and schedule for its implementation.
2. The endorsement of industry-developed guidance for permanently shutdown reactors and for dry cask spent fuel storage at nuclear power plants will eliminate the need for site-specific exemptions and promote consistency in the industry.
3. The elimination of the earlier provision, which had licensees desiring to use an alternative methodology adhere to 10 CFR Part 50 Appendix E Section IV.B requirements for an applicant, recognizes the maturity of the industry, and the role and responsibilities of licensees.

Template: ADM-013

E-RIDS = ADM-03

~~Add J. Birmingham (JLB)~~
ADD: RANDY SULLIVAN

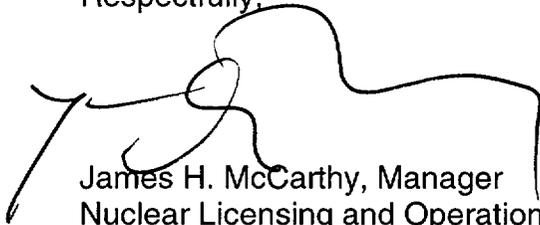
4. Explicit references to NEI 99-01 "Methodology for Development of Emergency Action Levels" (Draft Final Revision 4, February 2000) may need to be updated to reflect modifications identified as necessary during the public comment period for Draft Regulatory Guide DG-1075. Comments concerning NEI 99-01 are included in an attachment.

The following individuals are available to answer any questions or provide clarification concerning Virginia Power's comments:

John Costello John_Costello@dom.com or (804) 273-2527, or

Gwen Newman Gwen_Newman@dom.com or (804) 273-4255

Respectfully,

A handwritten signature in black ink, appearing to read "James H. McCarthy". The signature is fluid and cursive, with a large initial "J" and "M".

James H. McCarthy, Manager
Nuclear Licensing and Operations Support

Attachment

Virginia Power Comments Concerning NEI 99-01
“Methodology for Development of Emergency Action Levels”
(Draft Final Revision 4, February 2000)

1. Proposed Initiating Condition E-AU1 is redundant because any degradation of a cask/module sufficient to affect its shielding capability would be as a consequence of a natural event or accident (natural events and accidents are covered by E-HU1). Criticality is not a concern; 10CFR72.124(c) specifically excludes the need for criticality monitoring systems because the packaging and storage configuration for special nuclear material in dry storage areas precludes accidental criticality. Degradation of spent fuel would not be detectable from outside a cask/module because there is no mechanism for altering the source term. Monitoring limits for dry storage areas ensure that 10 CFR 20 limits are met. The limits were selected to maintain radiation doses to the general public within the limits provided in the regulations. The ISFSI perimeter radiation levels are not an assumption in any accident analysis, but are used to ensure compliance with regulatory limits on dose to the public during normal operations. Discussions with the NRC staff relative to development of standardized technical specifications for ISFSIs propose omitting these provisions because they are already addressed by regulation (10 CFR 20). Therefore, E-AU1 should be removed from NEI 99-01 pages 5-E-1, 5-E-3 and E.4.

2. The following minor modifications should be made to address general license provisions of 10 CFR 72, Subpart K, General Storage for Storage of Spent Fuel at Power Reactor Sites:
 - Add "or SAR referenced in the cask(s) Certificate of Compliance and the related NRC Safety Evaluation Report" after the first sentence in the second paragraph of the basis for E-HU1. (NEI 99-01 page 5-E-4)
 - Delete the fourth paragraph of the basis for E-HU1 since it addresses provisions of site-specific ISFSI Technical Specifications. (NEI 99-01 page 5-E-4)
 - Add the following at the end of the fifth paragraph in Section E.1 of NEI 99-01 Appendix E, Basis for ISFSI Initiating Conditions (NEI 99-01 page E.2): "10 CFR 72.212(b)(6) requires that a general licensee review its reactor emergency plan to determine if its effectiveness is decreased and make any necessary changes."

Virginia Power Comments Concerning NEI 99-01
“Methodology for Development of Emergency Action Levels”
(Draft Final Revision 4, February 2000)

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3. The parenthetical "(Draft Report for Comment)" following the reference to NUREG-1567 "Standard Review Plan for Spent Fuel Storage Facilities" in the sixth paragraph in Section E.1 of NEI 99-01 Appendix E should be deleted (NEI 99-01 page E.2). The final (NUREG-1567) report was published in March 2000. More significantly, NEI 99-01 Appendix E Section E.1's references to NUREG-1567 have been invalidated by changes made to the draft report when it was published in final form.