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August 25, 2000

Secretary
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

DOCKET NUMBER

PETITION RULE PRM 72-5
(65FR36647)

Attention: Rulemakings and Adjudications Staff

Subject: **Comments on Petition for Rulemaking**
Docket No. PRM-72-5

Southern California Edison (SCE) supports the Nuclear Energy Institute's (NEI's) proposal for an alternative process for issuing Certificates of Compliance and amendments to Certificates of Compliance for spent fuel storage cask certification and recommends that the U.S. Nuclear Regulatory Commission (NRC) amend 10 CFR 72 accordingly.

SCE believes that the current process of rulemaking for approving dry cask storage systems and maintaining an approved list in 10 CFR 72.214 for general licenses is both inefficient and is an unnecessary time consuming burden to the staff. In addition, we believe that there will be an increasing need for both additional Certificates of Compliance for new dry cask storage systems as well as amendments to existing Certificates of Compliance. The current rulemaking process unnecessarily burdens both the applicants and the staff without a commensurate improvement in safety. On the other hand, the rulemaking proposed will maintain the necessary NRC control over the technical review and approval of Certificates of Compliance (or amendments to a Certificate of Compliance) and appropriately incorporates public input to that process.

In any change to the current rulemaking process, however, SCE considers it vital that the NRC preserve the finality and standing of current and future Certificates of Compliance as adjudicated in *Kelly v. Selin*.

If you have any questions, please contact me or Mr. David Pilmer at 949-368-1486.

Sincerely,

