



Scott A. Bauer
 Department Leader
 Regulatory Affairs
 Palo Verde Nuclear
 Generating Station

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RECEIVED
 Tel: 623/393-5978 Mail Station 7636
 Fax: 623/393-5442 P.O. Box 52034
 e-mail: sbauer@apsc.com Phoenix, AZ 85072-2034

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 June 15, 2001
 USNRC

Chief, Rules and Directives Branch
 Division of Administrative Services
 Office of Administration
 U. S. Nuclear Regulatory Commission
 Mail Station: T-6 D59
 Washington, DC 20555-0001

Dear Sirs:

**Subject: Palo Verde Nuclear Generating Station (PVNGS)
 Units 1, 2, and 3
 Docket Nos. STN 50-528/529/530
 Comments on Reducing Unnecessary Regulatory Burden While
 Maintaining Safety**

In the May 3, 2001 *Federal Register* (66 FR 22134), the NRC requested public comments on reducing unnecessary regulatory burden while maintaining safety. Unnecessary regulatory burden was defined in the FR notice as regulatory requirements that do not aid the commission in its mission to protect public health and safety.

In response to the request for comments, Arizona Public Service Company (APS) suggests eliminating the oath or affirmation requirements in 10 CFR 50.30 and 50.54. The NRC has other regulations (10 CFR 50.9) requiring that information submitted to the Commission be complete and accurate. The requirements that a submittal must be executed under oath or affirmation do not appear to add any enforcement capability, but do add an administrative burden on licensees. It is estimated that the oath or affirmation requires several hours per licensee per year to administer, plus time that is spent internally and in industry groups regularly revisiting what words to use in the oath or affirmation statement.

A review of the oath or affirmation statements accompanying various licensees' submittals shows a wide variety of wording used to meet the oath or affirmation regulations. Sometimes the oath or affirmation is notarized and sometimes it is not. This variety of wording and notarization has had no effect on the NRC's ability to regulate the licensees and to maintain safety. In addition, some documents, such as licensee responses to NRC requests for additional information, have been submitted

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 (MMK)

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without the oath or affirmation, though recent NRC guidance is that they should have the oath or affirmation. The lack of oath or affirmation has had no effect on the NRC's ability to regulate the licensees and to maintain safety. As stated above, 10 CFR 50.9 requires that submittals be complete and accurate, regardless of whether or not they contain an oath or affirmation.

No commitments are being made to the NRC by this letter.

Should you have any questions, please contact Scott A. Bauer at (623) 393-5978.

Sincerely,

David E. Blackson
for S.A. Bauer

SAB/TNW/GAM/kg

cc: E. W. Merschoff (all w/o enclosure)
L. R. Wharton
J. H. Moorman