



NUCLEAR ENERGY INSTITUTE

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PROPOSED RULE Chapter 1
(67FR 57084)

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USNRC

Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

October 21, 2002 (3:17PM)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

ATTENTION: Rulemakings and Adjudications Staff

REFERENCE: Opportunity to Comment on Direct Final Rule and Proposed Rule, "Electronic Maintenance and Submission of Information," 67 *Fed Reg.* 57084 (September 6, 2002)

NEI¹ understands that, based on comments received at a public meeting on October 3, 2002, NRC plans to withdraw the direct final rule and proceed with a proposed rule. Our comments on the proposed rule are provided below. Also, comments are being prepared by the Nuclear Information Records Management Association (NIRMA) for submittal under NIRMA letterhead.

NEI recommends eliminating the following restrictions, because they represent a disincentive to licensee use of electronic submittals:

1. The primary concern is the proposed requirement that CD-ROM submissions be accompanied by one signed paper copy because of the difficulty of reproducing graphics, color, or oversized material that requires specialized copy equipment not currently available at all NRC locations. This is a reversal of guidance contained in Regulatory Issue Summary 2001-05, "Guidance on Submitting Documents to the NRC by Electronic Information Exchange or on CD-ROM," which stated that electronic submittals need not be accompanied by a paper copy. The CD-ROM paper-copy requirement is a significant disincentive for large documents, such as the Updated Final Safety Analysis Report (UFSAR), the Technical Specifications and Bases, the Technical Requirements Manual

¹ NEI is the organization responsible for establishing unified nuclear industry policy on matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues. NEI's members include all utilities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineering firms, fuel fabrication facilities, materials licensees, and other organizations and individuals involved in the nuclear energy industry.

Template = SECY-067

SECY-02

Secretary
October 18, 2002
Page 2

(TRM), the Emergency Plan, the Core Operating Limits Report (COLR), the Offsite Dose Calculation Manual (ODCM), and others.

2. Eliminate the proposed requirement to submit the same number of CD-ROM copies as would be required for a paper submittal. The technology for inexpensive reproduction of CD-ROM discs is readily available to NRC and the public.
3. Eliminate the proposed requirement to resubmit the entire Updated Final Safety Analysis Report (UFSAR) when using CD-ROM media. Retain the same requirement for CD-ROM media as for a paper UFSAR, which is the submittal of replacement pages only. The UFSAR for most sites is a very large document on the order of several thousand pages, and the typical update modifies only a small percentage of the total pages.
4. Increase the proposed size limit on individual files on a CD-ROM from 20 mb to 75 mb.
5. Increase the proposed size limit on EIE² submittals from 25 mb to 75 mb.

If you have questions, please contact Mike Schoppman (202-739-8011, mas@nei.org) or John McIntire (202-739-8041, jdm@nei.org).

Sincerely,



Lynnette Hendricks

c. Frank J. Kocsis III, President, NIRMA

² The term "Electronic Information Exchange" (EIE) refers to the transmittal of electronic documents to NRC via the Internet in a secure and unalterable manner.