

DOCKET NUMBER

PROPOSED RULE

2, 30, 40, 50, 52, 60, 63,  
(70FR07196) 71, 72, 73, 76 + 150

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803.345.4342



March 30, 2005

21

Ms. Annette L. Vietti-Cook  
Secretary of the Commission  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555

DOCKETED  
USNRC

April 13, 2005 (2:37pm)

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

Attention: Rulemakings and Adjudications Staff

Dear Ms. Vietti-Cook:

Subject: VIRGIL C. SUMMER NUCLEAR STATION  
DOCKET NO. 50-395  
OPERATING LICENSE NO. NPF-12  
RIN 3150-AH57, REQUEST FOR COMMENT ON THE  
PROPOSED RULE, PROTECTION OF SAFEGUARDS  
INFORMATION, 70 Fed.Reg. 7196; February 11, 2005

South Carolina Electric & Gas Company (SCE&G) has reviewed the above subject proposed rulemaking, and the reference letter from the Nuclear Energy Institute (NEI) to the USNRC. SCE&G endorses the comments made by NEI in the reference letter dated March 28, 2005. In addition to the comments made by NEI, please find attached comments by SCE&G that were not addressed by NEI.

If there are any questions, please call Mr. Mark P. Findlay at (803) 345-4186.

Very truly yours,

Jeffrey B. Archie

SBR/JBA/sr

- c: N. O. Lorick
- S. A. Byrne
- N. S. Carns
- T. G. Eppink
- R. J. White
- K. R. Cotton
- NSRC
- RTS (C-05-0647)
- File (811.02, 2.028)
- DMS (RC-05-0050)

Template = SECY-067

SECY-02

## Discussion of proposed amendments by Section

### Definition of Trustworthiness and Reliability.

The reference that this expectation is embodied in Section 73.55 and 26.10 infers that these elements must also be completed to determine trustworthiness and reliability for access to SGI. If this is the expectation then it should be specified in the requirements. However this will be very challenging to administer especially for the contract engineering firms who are never at the site. There is also no guidance on how long an individual can have access to SGI without any update of information.

### Section 73.22

(a)(1)(vii)(viii)(ix). These sections reference the safeguards contingency plan and training and qualification plan. These are now part of the composite Security Plan that was submitted as result of the Order.

(a)(1)(x), ...safeguards or security emergencies. This text is not consistent with the Plan template that used the phrase security contingency events.

(a)(1)(xii) Recommend revising the wording in the end of the sentence....by significantly increasing the likelihood of theft, diversion, or sabotage of material or a facility to the wording that is used in the definition of SGI, significantly increasing the likelihood of radiological sabotage or theft or diversion of source, byproduct, or special nuclear material.

(c) Add that SGI may also be store in the Reactor Control Room.

### Section 73.23

(a)(1)(ix) ...safeguards or security emergencies. This text is not consistent with the Plan template that used the phrase security contingency events.

(a)(1)(x) Recommend revising the wording in the end of the sentence....by significantly increasing the likelihood of theft, diversion, or sabotage of material or a facility to the wording that is used in the definition of SGI, significantly increasing the likelihood of radiological sabotage or theft or diversion of source, byproduct, or special nuclear material.