

**PR 72, 74 and 150
(76FR28193)**

Dominion Resources Services, Inc.
Innsbrook Technical Center
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DOCKETED
USNRC

June 29, 2011 (10:50 am)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

June 20, 2011

Secretary
U. S. Nuclear Regulatory Commission
Washington, DC 20555-0001
ATTN: Rulemakings and Adjudications Staff

GL11-031

COMMENTS ON 10 CFR PARTS 72, 74, AND 150
AMENDMENTS TO MATERIAL CONTROL AND
ACCOUNTING REGULATIONS
DOCKET ID NRC-2009-0096
(FEDERAL REGISTER VOLUME 76, NUMBER 94
DATED MAY 16, 2011, PAGES 28193 - 28194)

Dominion Resources Services, Inc. (Dominion) appreciates the opportunity to comment on 10 CFR Parts 72, 74, and 150, Amendments to Material Control and Accounting Regulations, as described in the subject *Federal Register* notice.

Dominion is providing the attached comments regarding this proposed rule and would appreciate the NRC's consideration. If you have any questions, please contact:

Mark Laidlow Mark.Laidlow@dom.com or (804) 273-2861

Respectfully,

C. L. Funderburk, Director
Nuclear Licensing & Operations Support
Dominion Resources Services, Inc. for
Virginia Electric and Power Company,
Dominion Nuclear Connecticut, Inc. and
Dominion Energy Kewaunee, Inc.

Attachment

ATTACHMENT

DOMINION COMMENTS ON PART 74 - MATERIAL CONTROL AND ACCOUNTING OF SPECIAL NUCLEAR MATERIAL

1. Section §74.19 (C) proposes to change the frequency of the physical inventory from intervals not to exceed 12 months to intervals not to exceed 370 days. On March 13, 2007 the NRC issued a response to industry concerns, through NEI, defining "intervals not to exceed 12 months." The interpretation of the regulation was given as: "If a licensee completes physical inventory in a given month, the next physical inventory must be completed by the last day of the same month in the following year." Implementation of this interpretation has worked well since 2007, and does not cause the physical inventory date to "creep up" each year, which likely will occur if the frequency requirement is redefined as "not to exceed 370 calendar days." If the frequency of physical inventories must be expressed in calendar days, Dominion strongly recommends the interval be set to "not to exceed 395 days" (one year plus 30 days) to facilitate annual planning of the inventory date. This is consistent with the interval allowed by the current interpretation and permits sufficient schedule flexibility to avoid any "creep up" of the due date from one year to the next.
2. MC&A, as controlled by Section §74.19, requires the inventory and control of items which contain minute quantities of Special Nuclear Materials (SNM) to the same degree as items containing hundreds of thousands of grams of SNM. The items that contain minute quantities of SNM pose no risk to either the health and safety of the general public or to our common defense and security. To focus MC&A resources and reduce personnel exposure (ALARA concepts), Dominion recommends using minimum threshold values commensurate with the reporting quantities requiring the use of nuclear material transaction reports per §74.15(a) to determine if an item is included in the physical inventory required by §74.19 (C).

• **Rulemaking Comments**

From: Vicki Hull [vicki.hull@dom.com]
Sent: Wednesday, June 29, 2011 8:19 AM
To: Rulemaking Comments
Subject: Dominion Comments Regarding NRC-2009-0096 - Amendments to Material Control and Accounting Regulations
Attachments: GL11-031.RESPONSE_Ltr&AttOnly.pdf

Attached are Dominion's comments on the above subject.

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