

ABB

DSI-6

(33)

December 2, 1996
LD-96-057

Mr. John C. Hoyle
Secretary of the Commission
U.S. Nuclear Regulatory Commission
ATTN: Chief of Docketing and Services Branch
Washington, DC 20555-0001



Subject: Comments on the NRC Strategic Assessment and Rebaselining Initiative

Dear Mr. Hoyle:

In response to the invitation to the public and stakeholders to submit comments by December 2, 1996, please find attached Combustion Engineering, Inc.'s (ABB-CE's) comments on each of the direction setting issues identified by the NRC staff.

ABB-CE commends the Commission for undertaking this comprehensive systematic assessment of its future role. Since the NRC came into being in 1975, the industry that it regulates has substantially matured in a technical sense, and it follows that the role of the regulator must adapt to that maturation. In addition, the commercial environment for the industry is just beginning to move toward deregulation, which brings new factors into play.

The move toward risk-informed, performance-based regulation is to be encouraged. The future competitive environment for electrical generators makes it imperative to free safely operating nuclear plants of unnecessary regulatory burdens. This requires the NRC to acknowledge in deed, as well as in word, that the safety performance of the industry as a whole has been steadily improving over more than a decade. It means relooking at the philosophy of regulating the new Advanced Light Water Reactor designs such that their vastly improved safety features result in added margin from regulatory requirements rather than tightening the regulations to enforce the new safety levels. If the Commission is unable to acknowledge these safety improvements through revamped regulation and enforcement, the nuclear industry will be unable to compete in the future marketplace.

We would encourage that a very careful evaluation be made of the input which will be received and that the necessary time and attention be provided to make the

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Acknowledged by card 12/31/96 JMS

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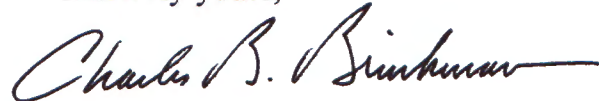
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difficult, but extremely important, decisions. We would also recommend that the Commission consider the use of stakeholder committees in helping to further develop the options available to the Commission and to develop plans for successfully carrying out the new directions chosen by the Commission.

Thank you for the opportunity to submit our input to this critical process. Please contact me at 301-881-7040 if you have any questions related to our input.

Sincerely yours,



Charles B. Brinkman
Director, Nuclear Licensing

Attachments:

1. ABB-CE Comments on DSI-2
2. ABB-CE Comments on DSI-4
3. ABB-CE Comments on DSI-5
4. ABB-CE Comments on DSI-6
5. ABB-CE Comments on DSI-7
6. ABB-CE Comments on DSI-9
7. ABB-CE Comments on DSI-10
8. ABB-CE Comments on DSI-11
9. ABB-CE Comments on DSI-12
10. ABB-CE Comments on DSI-13
11. ABB-CE Comments on DSI-14
12. ABB-CE Comments on DSI-20
13. ABB-CE Comments on DSI-21
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15. ABB-CE Comments on DSI-23
16. ABB-CE Comments on DSI-24

cc: S. Floyd (NEI)
S. Magruder (NRC)

DSI #6 High-Level Waste and Spent Fuel

DSI - In view of current uncertainties, how should NRC approach the present high-level waste situation?

Generic Question #1 - What, if any, important considerations may have been omitted from this issue paper?

ABB-CE endorses the remarks of the Nuclear Energy Institute on this matter.

Generic Question #2 - How accurate are the NRC's assumptions and projections for internal and external factors discussed in the issue papers?

ABB-CE endorses the remarks of the Nuclear Energy Institute on this matter.

Generic Question #3 - Do the Commission's preliminary views associated with this issue paper respond to the current environment?

ABB-CE endorses the remarks of the Nuclear Energy Institute on this matter.

Option preferred by ABB-CE:

It is clear that the duration of the national high-level waste program could require interim storage of spent fuel. ABB-CE concurs with NRC's assessment of the relatively greater difficulty of creating centralized, away-from-reactor storage capacity compared to dry cask storage on-site. We suggest, therefore, that a principal focus of Option 5 be to facilitate on-site storage.

While the elements of Option 2 that should be implemented are subject to opinion, ABB-CE believes it is important to include those elements that establish a formal, binding issue resolution process during the pre-licensing phase of the disposal program to limit the contentions that could ultimately be litigated in licensing hearings or court proceedings.

ABB-CE also endorses the remarks of the Nuclear Energy Institute on this matter.