

# PUBLIC SUBMISSION

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**Docket:** NRC-2017-0214  
Review of Administrative Rules

**Comment On:** NRC-2017-0214-0001  
Review of Administrative Rules

**Document:** NRC-2017-0214-DRAFT-0003  
Comment on FR Doc # 2018-09359

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## Submitter Information

**Name:** Amanda Spalding  
**Organization:** Westinghouse Electric Company

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## General Comment

See attached.

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## Attachments

LTR-NRC-18-47



Westinghouse Electric Company  
1000 Westinghouse Drive  
Cranberry Township, Pennsylvania 16066  
USA

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

Direct tel: (412) 374-5541  
Direct fax: (724) 940-8542  
e-mail: mercieej@westinghouse.com

LTR-NRC-18-47

July 2, 2018

**Subject: Transmittal of Westinghouse Electric Company Comments on NRC's Review of Administrative Rules [Docket ID NRC-2017-0214]**

Westinghouse Electric Company (Westinghouse) appreciates that NRC has initiated a retrospective review of administrative requirements to identify outdated or duplicative administrative requirements, which may be eliminated without an adverse effect on public health or safety, common defense and security, protection of the environment, or regulatory efficiency and effectiveness. Westinghouse appreciates the opportunity to comment throughout the process, including at this stage on the criteria that NRC proposes to use to identify administrative regulations for possible elimination. Westinghouse is providing the NRC staff the following comments:

1. Criterion #4 states:

4. Reports or records that contain information used by other Federal agencies, State and local governments, or Federally-recognized Tribes will be eliminated from the review.

The goal of this criterion is to decrease the potential for unintended consequences. For example, the NRC collects certain information on behalf of other government agencies. It is not the intent of this effort to change that practice.

Westinghouse recommends that, instead of automatically eliminating regulations from review that have duplicate reporting requirements to other agencies/governments, NRC should first confirm that those reporting requirements to other agencies/governments are still required and aren't outdated themselves. If no government agencies are using a specific piece of information, the regulation should be part of NRC's review of outdated or duplicative administrative rules.

2. The evaluation criteria should be expanded to include reports that licensees are required to submit, but are not reviewed by NRC staff. If NRC is not directly reviewing this information, having it onsite for NRC review (and not going through the effort of preparing a separate NRC submittal) should be sufficient to meet NRC's mission. NRC's Principles of Good Regulations states the following with respect to clarity (emphasis added):

Regulations should be coherent, logical, and practical. **There should be a clear nexus between regulations and agency goals and objectives whether explicitly or implicitly stated.** Agency positions should be readily understood and easily applied.

In the example described above, if NRC regulations require a report, but NRC does not review it, what purpose does the report serve? Specifically, how is the report enabling the agency to meet its goals and objectives? Licensees should not be required to submit information so NRC has it just in case they need it at some future date.

3. During the May 31<sup>st</sup> public meeting on this topic, NRC staff mentioned that one potential regulatory change coming out of this initiative could involve allowing electronic submittals as opposed to requiring paper submittals. While electronic submittals may be encouraged by licensees and are more convenient than paper submittals, this type of change will not provide a substantial cost-savings to licensees. Much of the time spent on an NRC submittal is in preparing and reviewing the document, not in how it is submitted. NRC should ensure that this review provides larger benefits to the administrative burden placed on licensees for reporting and record-keeping.

If you need additional information, please contact Amanda Spalding at 860-731-6734 or [spaldiaj@westinghouse.com](mailto:spaldiaj@westinghouse.com).



Edmond Mercier, Manager  
Fuels Licensing and Regulatory Support