

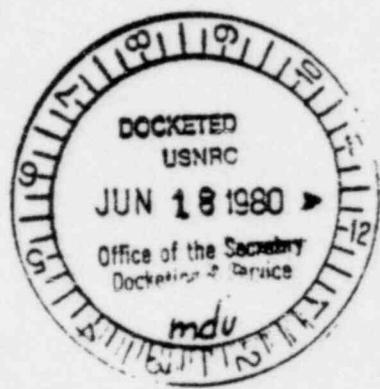


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General Offices: 212 West Michigan Avenue, Jackson, Michigan 49201 • (517) 788-0680

June 12, 1980

Secretary of the Commission
U S Nuclear Regulatory Commission
Docketing & Service Branch
Washington, DC 20555



The following comments concerning the proposed incorporation of 40 CFR Part 190 into 10 CFR Part 20 are presented for your consideration:

1. Consumers Power Company has difficulty in understanding the need for the proposed change. Presently, licensees are required to satisfy the requirements of 40 CFR Part 190; therefore, incorporating them into 10 CFR Part 20 seems to be unnecessary. Furthermore, Consumers Power Company believes that compliance with Appendix I to 10 CFR Part 50 guarantees that the dose and radioactivity release requirements of 40 CFR Part 190 will be satisfied by each power reactor. In addition, the reporting and record-keeping requirements of Appendix I ensure that NRC will have the data necessary to monitor that 40 CFR Part 190 requirements are being met. For these reasons, Consumers Power Company requests that the requirements of 10 CFR 50 Appendix I and 40 CFR Part 190 be combined. Such a combination would eliminate duplication of regulations and would preclude the possibility of redundant reporting of operational events.
2. Consumers Power Company wishes to draw the NRC's attention to the extreme difficulty that would be encountered by the personnel at each nuclear facility if the requirements of 40 CFR Part 190 were enforced literally. Subpart B of 40 CFR Part 190 applies dose equivalent and radioactivity release restrictions to the entire fuel cycle of which each facility is only a part. Therefore, requiring each facility to determine if the dose and radioactivity release limits for the fuel cycle were being exceeded would require each facility to evaluate all the other facilities in the cycle. Obviously, this would be unnecessarily costly and redundant. Consumers Power Company suggests that NRC allot a certain portion of the allowable dose and radioactivity release limits to each facility in the fuel cycle. In this way, each facility could account for its own operation and be unconcerned with possible violations by other facilities. The overall fuel cycle operation could be monitored by the NRC using the input from each of the facilities.

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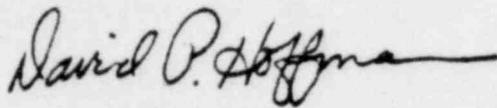
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3. Consumers Power Company requests that NRC augment the proposed change with the details of a procedure for procuring a "variance for unusual operations". Section 190.11 of 40 CFR Part 190 allows for such a variance, but a procurement procedure specified by NRC is necessary for the timely attainment of a variance.

Please consider these comments in future actions concerning 10 CFR Part 20.



David P Hoffman
Nuclear Licensing Administrator

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