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U.S. NUCLEAR REGULATORY COMMISSION
DOCKETING AND SERVICE BRANCH

Portland General Electric Company

November 24, 1980

Trojan Nuclear Plant
Docket 50-344
License NPF-1



Secretary of the Commission
Attn: Docketing and Service Branch
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dear Sir:

Portland General Electric Company offers the following comments related to the Notice of Proposed Rulemaking regarding the plan to require licensees and applicants to document deviations from the Standard Review Plan (SRP), as promulgated in the October 9, 1980 Federal Register (Volume 45, 67099):

1. We believe the NRC has misinterpreted and misapplied the Congressional mandate requiring the systematic safety review of all operating nuclear power plants. Such a review is to start from a defined base of current rules and regulations of particular significance to the protection of the public health and safety. The acceptance criteria evolving from the revised SRP will be much broader. Invariably these will be imposed on licensees and applicants as rules and regulations and will lead to review of compliance with extraneous acceptance criteria of either marginal, or no safety significance. We recommend that the NRC employ a more direct and controlled approach to fulfill the intent of Congress.
2. The proposed SRP documentation effort would be an inappropriate use of already limited manpower resources in the NRC and industry. Manpower must be prioritized and utilized for areas of true safety import and not for administrative tasks of indeterminately large impact and marginal safety benefit.
3. The SRP documentation policy proposed for CP applicants (Requirements 4 and 5) is arbitrary and inconsistent with the policy proposed for Operating License (OL) applicants.

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First of all, pending CP applications should be differentiated from new CP applications. In no event should SRP documentation be a precondition for licensing of currently docketed CP applications. This would effectively amount to a policy of foreclosure for pending CP applications since operating reactors and OL applicants will be granted greater review priority. Furthermore, pending CP applicants should not be treated any differently than near-term OL applicants. Pending CP applicants should not be required to document deviations "from all acceptance criteria" of the SRP while near-term OL applicants are limited to documenting deviations from "the acceptance criteria of the SRP . . . that relate to those regulations . . . of particular significance to the protection of the public health and safety".

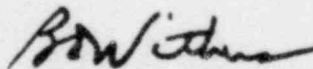
If the Commission should adopt an SRP rule for pending CP applicants, we strongly urge substitution of the following wording in lieu of that proposed for Requirements 4 and 5:

"All pending applicants for a nuclear power plant Construction Permit (CP) would be required to identify and justify, after issuance of a CP, all deviations from the acceptance criteria of the SRP revision scheduled to be issued in April 1981 that relate to those regulations the Commission determines to be of particular significance to the protection of the public health and safety".

This would be consistent with the approach proposed for OL applications for which the Staff's Safety Evaluation Report will be issued before January 1, 1982 (Requirement 2). It is also consistent with the intent of Congress to focus only on operating nuclear power plants. Pending CP applications should therefore, at a minimum, be exempted from any SRP documentation requirement until the OL stage of licensing.

We would appreciate your serious consideration of these comments.

Sincerely,



Bart D. Withers
Vice President
Nuclear

c: Mr. Lynn Frank, Director
State Of Oregon
Department of Energy