



JOHN J. KEARNEY, Senior Vice President

# EDISON ELECTRIC INSTITUTE

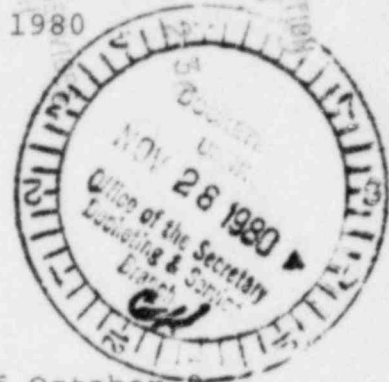
The association of electric companies

1111 19th Street, N.W.  
Washington, D.C. 20036  
Tel. (202) 628-7400

JACKET NUMBER PR 50  
PROPOSED RULE 45 FR 67099

November 24, 1980

Mr. Samuel J. Chilk  
Secretary of the Commission  
U.S. Nuclear Regulatory Commission  
Washington, D. C. 20555



Dear Mr. Chilk:

In response to your Federal Register Notice of October 9, 1980, 45 FR 67099, the Edison Electric Institute offers the following comments on the NRC's proposed Plan To Require Licensees And Applicants To Document Deviations From The Standard Review Plan.

The Edison Electric Institute (EEI) is the national association of the investor-owned electric utility industry. Its member companies serve 99 percent of all customers of the investor-owned segment of the industry and 77.5 percent of all users of electricity in the United States. A number of EEI's members operate nuclear power reactors, have plants under construction and are considering possible future additional nuclear power plants.

EEI strongly feels that the proposed NRC Plan is unwarranted and would serve to sidetrack NRC and industry capabilities, at a critical time, in an exercise of questionable safety importance. One of the most fundamental concerns noted by the President's Commission on the Accident at Three Mile Island was the NRC's preoccupation with licensee compliance with regulations. That Commission noted that the existing regulations "...are so complex that immense efforts are required by the utility, by its suppliers, and by the NRC to assure that regulations are complied with. The satisfaction of regulatory requirements is equated with safety. This Commission believes that it is an absorbing concern with safety that will bring about safety--not just the meeting of narrowly prescribed and complex regulations." The proposed NRC Plan perpetuates this very concern. It would require the expenditure of hundreds of man years by NRC and industry personnel in an exercise which again would attempt to demonstrate that safety has been achieved by meeting regulations.

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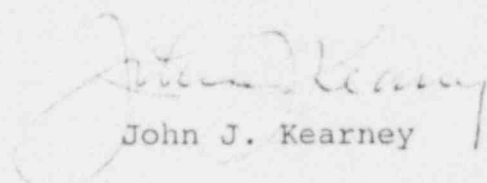
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The Congress has required, through Section 110 of Public Law 96-295, that the NRC develop a plan for the systematic safety review of all operating nuclear power plants. This Congressional directive instructs the NRC to first identify those rules and regulations which are of particular safety significance to the public health and safety, and then determine to what extent those as yet unidentified regulations have been satisfied by licensees. Congress' directive to NRC as reflected in Section 110 can and should be achieved without resorting to a massive re-review of every aspect of each operating license.

We strongly urge that the NRC Staff be directed to reconsider the proposed approach that requires licensees and applicants to document deviations from a yet to be prepared Standard Review Plan. NRC should give particular consideration to the improvement in overall safety when developing its program. EEI believes the proposed approach is of limited usefulness in that regard. In summary, we believe the Plan as it is presently structured is ill advised, especially when one considers the diversion of manpower it would require from other programs that have a more direct impact on safety considerations. This manpower diversion undoubtedly would be counter-productive to achieving increased safety.

Sincerely,



John J. Kearney

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