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BOSTON EDISON

Pligrim Nuclear Power Station Rocky Hill Road Plymouth, Massachusetts 02360

> January 3, 41994 BECo Ltr. 94-001

E. T. Boulette, PhD Senior Vice President -- Nuclear

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

> Docket No. 50-293 License No. DPR-35

Subject: Proposed Rule "Protection Against Malevolent Use of Vehicles at Nuclear Power Plants (58FR58804)

Boston Edison is opposed to the issuance of this proposed Rule regarding protection against land vehicle intrusion at nuclear power plants. Implementation of this rule would not increase the safe operation of nuclear power plants. The events assumed do not warrant the significant expenditure of resources to implement (see our cost estimates below). Rather, the proposed rule will reduce the likelihood of an already low probability event.

Absent withdrawal of this proposed rulemaking, we support the comments submitted by NUMARC and have some additional comments.

We agree with NUMARC that it is not necessary to make the Design Basis Threat (DBT) any more unrealistic. The events at Three Mile Island and the World Trade Center need to be uncoupled as a hypothetical threat before building further conservatisms into the current DBT. Uncoupling these events allows for a more realistic basis for a vehicle barrier system. There would either be the potential for a land vehicular intrusion attempt or the potential for an attempted bombing by means of remote detonation of explosives in a parked vehicle outside the protected area, not a combination of the two. Similarly, the proposed rule increases the design basis explosive well above domestic experience to date. The size of the design basis explosive should be no larger than the maximum explosive equivalent previously detonated within this country.

Protecting the health and safety of the public and our employees is the primary concern in the operation of Pilgrim. The emphasis of any new rule should be to protect those areas and/or systems necessary for safe shut down in the event of a security breach. The proposed rule goes beyond ensuring safe shutdown by prescribing additional protection for all vital areas. For example, the statements in sections 73.55(c)(7) and 73.55(c)(8)(ii) "to gain unauthorized proximity to vital areas" and "The Commission will approve the proposed alternative measures if they provide substantial protection against a land vehicle bomb" may be unnecessary. There may be a vital area that could be lost due to an explosion and yet the plant

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could still be fely shut down. This approach is consistent with the NRC's philosophy used juring the Operations Safeguards Response Evaluations (OSRE) currently being conducted at plants.

Implementation Schedule

Beyond NUMARC's comments, we believe it is imperative that any rulemaking process be delayed until the NRC's blast effect analyses have been completed and are available for industry review, with an appropriate comment and discussion period. The safe standoff distance is key in determining the implementation expense of this rule making. While the Regulatory Analysis states that most existing protected area boundaries are probably at acceptable standoff distances, until the blast effect analyses are known this is an unsupported statement.

Furthermore, we propose that utilities who have an approved integrated schedule (such as the Pilgrim "Long Term Program" required by our Condition of License #3.H) have the option to schedule the implementation of this rule through that process instead of required dates in the code. The current wording of the proposed rule would require a formal exemption to change the date. We suggest the proposed 73.55(c)(9)(i) and (ii) be combined into one section and a new (ii) be added to read: "Those utilities with an NRC approved "Integrated Schedule" (57FR43888) shall prioritize implementation of the requirements of this part as a "Level I" item and include it in their next required NRC submittal of the schedule".

Backfit Analysis

We cannot realistically comment on the Backfit Analysis as it relates to Pilgrim Station until we can determine the safe standoff distance for all of our vital areas. However, we agree with NUMARC that the NRC has not provided quantifiable justification for the statement that this rulemaking will provide a substantial increase in public health and safety.

We have performed rough calculations and have detarmined that the cost of implementation for Pilgrim Station could be a least \$1.7 million. We expect that when formal calculations are performed using realistic blast effect analyses, that the costs may increase.

We appreciate the opportunity to comment on the proposed rule. Should you have any questions regarding our comments, please call our Security Manager, Mr. John Neal at 508-830-8788.

EFBoulette

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cc: Mr. R. B. Eaton Div. of Reactor Projects I/II Office cf NRR - USNRC One White Flint North - Mail Stop 14D1 11555 Rockville Pike Rockville, MD 20852

Sr. NRC Resident Inspector - Pilgrim Station