

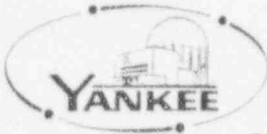
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DOCKET NUMBER
PROPOSED RULE PR 19,20
(59FR5132)

March 31, 1994
FYC 94-008
SPS 94-023

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

Secretary
U. S. Nuclear Regulatory Commission
Washington, DC 20555

Attention Docketing and Service Branch

Subject: Comment on Proposed Rule to delete the definition of
"controlled area", 59FR5132, dated February 3, 1994

Dear Sir:

Yankee Atomic Electric Company appreciates the opportunity to comment on the subject proposed rule. Yankee is the owner of the Yankee nuclear power station in Rowe, Massachusetts and provides engineering and licensing services to other nuclear power plants in the northeast, including Vermont Yankee, Maine Yankee, and Seabrook.

When the new 10 CFR 20 was implemented on January 1, 1994, it introduced the concept of a "controlled area" to describe the previously unlabeled area between the Radiation Control Area and the site boundary. The definition presented in the new Part 20 for a "controlled area" was: "An area outside of a restricted area but inside the site boundary, access to which can be limited to the licensee for any reason". The major impact of the subject proposed change is the deletion of the "controlled area" concept. It comes almost immediately after completion, by all licensees, of the intensive 18 month plus effort to implement the new Part 20. Although this deletion enables creation of an unambiguous distinction between the restricted and the unrestricted area, it creates enormous problems for power plant licensees.

The area between the Radiation Controlled Area, now called the Restricted Area, and the site boundary is more or less, depending on the geometry of a specific site, a large track of land where the interface between the plant and the surrounding community takes place. Licensees have been meticulous in assuring that accumulated doses in this area are kept very low - (well below 100 mr to a member of the general public). Under this proposal they would be required to institute new programs to control dose in this area on an individual basis. The volume and diversity of traffic in the controlled area can be very great. It includes, for example: office equipment repair persons, general tours, contracted grounds

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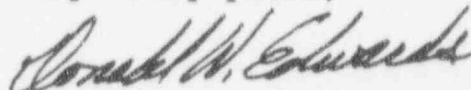
Secretary
March 31, 1994
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keepers and gardeners, and even general public entering the area unrelated to plant activity in the situation where public roads cross site boundaries. The obligation created by this proposal to treat each of these individuals as they were receiving an "occupational dose" (e.g., training and individual monitoring) is a monumental task.

Clearly, the NRC staff did not intend this sort of outcome. The Regulatory Analysis concluded that a Backfit Assessment for this change was not even necessary because there would be no impact on licensees. The complications of procedure and policies that would enable satisfactory demonstration of compliance with this change, not to mention the inspection burden that would be associated with it, are staggering. In this regard, the Regulatory Analysis is flawed because licensees, having just modified their procedures and policies to provide compliance with the revised Part 20, would be forced to undertake a major effort to try and accommodate this change.

There may be other licensees for which the deletion of the "controlled area" concept may make sense, but those specific instances should be spelled out in the regulations. We urge the NRC to reconsider the proposal and retain the "controlled area" concept for power plant licensees. To do otherwise would constitute a major hardship and a cost without benefit type of requirement.

Very truly yours,



Donald W. Edwards
Director, Industry Affairs

DWE/sf