

DOCKET NUMBER 50
PROPOSED RULE (55 FR 41095)

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December 20, 1990

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

Subject: Comments Concerning the Nuclear Regulatory Commission's 10 CFR 50
Proposed Rule, "Emergency Response Data System"
(55 FR 41095, dated October 9, 1990)

Dear Mr. Chilk:

This letter is being submitted in response to the Nuclear Regulatory Commission's (NRC's) request for comments regarding the 10 CFR 50 Proposed Rule, "Emergency Response Data System," published in the Federal Register (55 FR 41095, dated October 9, 1990).

The Philadelphia Electric Company (PECO) appreciates the opportunity to comment on this proposed rule. This proposed rule would require licensees to participate in the Emergency Response Data System (ERDS) program and to set a definite schedule for its implementation. In response to NRC Generic Letter (GL) 89-15, "Emergency Response Data System," dated August 21, 1989, PECO has volunteered to participate in the ERDS program at the Peach Bottom Atomic Power Station (PBAPS), Units 2 and 3, and the Limerick Generating Station (LGS), Units 1 and 2, and continues to support this voluntary program. However, PECO does not agree that this proposed rule is needed, and recommends that the NRC reconsider promulgation of a final rule. PECO fully supports the Nuclear Management and Resources Council's (NUMARC's) position and comments regarding this proposed rule.

Should the NRC decide to promulgate a final rule, we are submitting the following additional comments.

1. There should be specific guidance provided for the configuration control requirements of the utility/ERDS interface. The administrative process for handling configuration changes should be better defined to allow the utilities to have definite knowledge that they are in compliance with the regulations.
(Ref: Proposed 10 CFR 50, Appendix E, Section VI, Paragraph 3)

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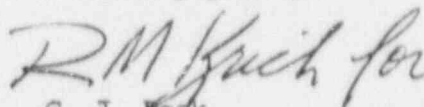
2. There should be specific time requirements established for activation of the ERDS, and specific actions to be taken when there are hardware and/or software failures at either end of the utility/ERDS system interface. Proposed 10 CFR 50.72(a)(4) should state, "The licensee shall activate the Emergency Response Data System within one hour of any condition . . ."
3. The proposed rule does not address access to ERDS data by state governmental agencies. The rule should require that all future state/local requests for on-line plant data be requested from the NRC staff. This will ensure that the governmental agencies do not pressure utilities for on-line plant data other than the data that is available to the NRC. This will also eliminate redundant and costly information systems.
4. The proposed rule does not address reporting requirements for system failures during testing. The proposed changes to 10 CFR 50.72 should provide these requirements.

Additionally, to reduce costs for both the NRC and the utilities, the following should be considered.

1. The NRC-furnished communication hardware link should be able to accept data from dual unit plant sites through a single hardware link.
2. The NRC should provide the necessary communications software to the utilities.

If you have any questions, please do not hesitate to contact us.

Sincerely yours,



G. J. Beck
Manager - Licensing
Nuclear Engineering and Services