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January 28, 1991

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(56 FR 53220)

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RECEIVED
NRC
David P Hoffman
'91 FEB - Vice President
Nuclear Operations

Mr Samuel J Chilk
Att: Docketing and Service Branch
Secretary of the Commission
US Nuclear Regulatory Commission
Washington, DC 20555

SUBJECT: NOTICE OF AVAILABILITY
SECY 90-347, "REGULATORY IMPACT SURV.Y REPORT"
55 FED REG 53220 (DECEMBER 27, 1990)
REQUEST FOR COMMENT

Dear Mr Chilk:

Consumers Power Company concurs with the comments by the Nuclear Management and Resources Council, Inc (NUMARC) in their letter of January 28, 1991 on SECY 90-347. In addition, the following points are also considered important:

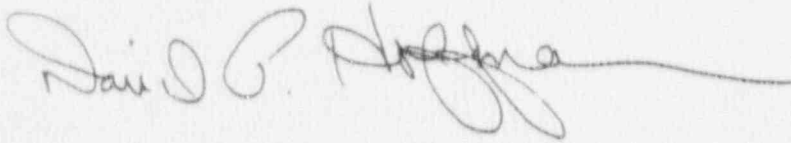
1. The three issues identified in SECY 90-347, Page 3, do not otherwise appear to be the focus of further NRC attention, (i) licensee acquiescence to NRC requests, (ii) NRC domination of licensee resources through changing formal and informal requirements and (iii) licensee acquiescence to avoid confrontations. These three issues point directly to the lack of delineation of the role, responsibility and management of the NRC staff by senior NRC managers.
2. The NRC is not only responsible to establish the parameters within which licensees must function but it must also establish the proper climate to allow licensees to meet these parameters and achieve even greater margins of safety and higher levels of performance.
3. The NRC must assess management of the plants to ensure public health and safety is adequately protected but the present level and scope of this involvement hampers the licensee's ability to effectively perform its duties.
4. Subjective opinions resulting from interaction with NRC representatives should not be allowed as a basis for regulatory requirements.

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5. NRC senior management should not expect licensees to challenge or even to call to their attention inappropriate NRC activities. Senior management appraisal of the NRC staff is as important as corporate management appraisal of the plant staff and should not be delegated.

Finally, over the last ten years, the operations of nuclear power plants have shown considerable improvement. This is due in some part to NRC involvement in licensee management responsibilities. However, extensive NRC involvement can be detrimental to effective management of resources and continued improvement of plant operations.

Yours very truly,

A handwritten signature in cursive script, appearing to read "David P. Higgins", followed by a long horizontal flourish.

CC: GBSlade, Palisades
WLBeckman, Big Rock Point