

PETITION RULE PRM 50-60
(59FR17499)



TU ELECTRIC

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OFFICE OF SECRETARY
DOCKETING & SERVICE
June 13, 1994 BRANCH

William J. Cahill, Jr.
Group Vice President

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

SUBJECT: VIRGINIA ELECTRIC AND POWER COMPANY;
PETITION FOR RULEMAKING,
59 FED. REG. 17499 (1994)

Dear Mr. Chilk:

These comments are submitted by TU Electric in response to the above referenced notice and invitation to comment on Virginia Electric and Power Company's petition for rulemaking to amend 10 CFR Part 50.54(t). TU Electric supports the petition and believes that the proposed change to 10 CFR Part 50.54(t) is warranted.

Power reactor licensee effectiveness in emergency preparedness has improved steadily to the point where annual independent audits no longer provide a significant benefit, let alone a benefit commensurate with their cost in dollars and diverted resources. For the nuclear power industry, emergency preparedness audit deficiencies over the past few years have been largely absent or narrowly focussed. Furthermore, adequate safeguards exist to ensure that the effectiveness of licensee emergency preparedness does not deteriorate during the proposed two-year interval for audits.

The proposed relaxation of the annual audit requirement compliments VEPCo's March 1993 rulemaking petition -- still pending before the Commission -- to reduce the frequency of mandatory emergency preparedness exercises from annually to biennially. By alternating the mandatory emergency preparedness audit and exercise, the NRC will still maintain a formal mechanism to annually verify emergency preparedness program effectiveness.

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TU Electric agrees with VEPCo that annual audits are no longer necessary to ensure an adequate level of emergency response capability. Biennial audits would allow licensees to concentrate available audit resources in areas of observed weakness based on performance. Because the costs associated with the annual audit requirement are not commensurate with its safety benefits, amending the emergency preparedness rules to permit biennial audits could provide a net safety benefit.

Sincerely,

William J. Cahill, Jr.

By: J. S. Marshall
J. S. Marshall
Generic Licensing Manager

CLW/grp