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Mr. Samuel J. Chilik
 Secretary of the Commission
 U.S. Nuclear Regulatory Commission
 Washington, D.C. 20555

Attn: Docketing and Service Branch

Re: Virginia Electric and Power Company; Petition
 for Rulemaking, 59 Fed. Reg. 17499 (1994)

Dear Mr. Chilik:

These comments are submitted by Commonwealth Edison in response to the above-referenced notice and invitation to comment on Virginia Electric Power Company's petition for rulemaking to amend 10 C.F.R. Part 50.54(t). We support the petition and believe that the proposed clarification is warranted.

Power reactor licensee effectiveness in emergency planning has improved steadily to the point where annual 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 planning 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 planning does not deteriorate during the proposed two-year interval for audits.

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

Based on documented industry performance, we agree 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,

Martin J. Vonk
 Generic Issues Administrator
 Nuclear Regulatory Services

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