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DOCKETED
USNRC

DOCKET NUMBER **PR 21**
PROPOSED RULE
(59FR 53372)

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January 9, 1995
Refer to: RC-95-0009

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

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Mr. S. J. Chilk, Secretary,
U.S. Nuclear Regulatory Commission
Washington, DC 20555

on: Docketing and Service Branch

Dear Mr. Chilk:

Subject: VIRGIL C. SUMMER NUCLEAR STATION
DOCKET NO. 50/395
OPERATING LICENSE NO. NPF-12
COMMENTS ON PROPOSED AMENDMENTS TO 10 CFR PART 21

South Carolina Electric & Gas Company (SCE&G) has reviewed the proposed amendments to 10 CFR Part 21 (59 Fed. Reg. 53372). SCE&G is in agreement with the proposed amendments; however, we believe that inter-utility transfers should also be specifically addressed at this time by the amendment to 10 CFR Part 21.

10CFR21 does not clearly address the 10CFR21 obligations associated with a safety-related "complex" item (manufactured under an appendix B program) which was purchased from a qualified vendor by utility "A", then transferred to utility "B" for use as a basic component. Problems arise in the case where utility "A" is unwilling to accept 10CFR21 provisions on the transfer procurement documents.

If utility "A" is unwilling to accept 10CFR21 responsibility in the transfer, the 10CFR21 amendment (section 21.31) should address that the transfer is allowed, if utility B can document their acceptance of the qualification of the vendor during the time of original manufacture and sale of the item.

We suggest the following sentence addition to 21.31: "in the case of inter-utility transfer of basic component items an exception is made to the imposition of 10CFR21 provisions on the inter-utility transfer documents, in the cases where the receiving utility can document their acceptance of the qualification of the originally supplying vendor".

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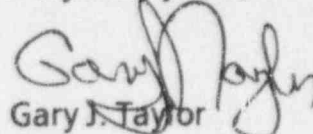
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Inter-utility transfers provide an opportunity to obtain qualified equipment/material when manufacturers or vendors are not able to meet immediate needs. Inter-utility transfers are not currently addressed by 10 CFR Part 21 and SCE&G believes this is an excellent opportunity to provide guidance in this area.

SCE&G appreciates the opportunity to provide comments on this proposed rule.

Very truly yours,


Gary J. Taylor

JDH:ews

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RTS (PR 920036)
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