

NUCLEAR MANAGEMENT AND RESOURCES COUNCIL

1776 Eye Street, N.W. • Suite 300 • Washington, DC 20006-2496 (202) 872-1280 88 JUN 20 A 9:00

S. J. Chilk

June 7, 1988 OFFICE OF SELRATOR DUCKETING & SERVICE. BRANCH

TO: NUMARC Administrative Points of Contact

SUBJECT: Proposed Rule - 10 CFR 50 Emergency Planning Preparedness Requirements for Nuclear Power Plant Fuel Loading and Initial Low Power Operations

On May 9, 1988, the NRC published a <u>Federal Register</u> notice (53 FR 16435) on the emergency preparedness requirements necessary to support issuance of a license for fuel loading and low power operations. By letter dated May 13, 1988, we apprised you of the <u>Federal Register</u> notice and encouraged you to consider filing individual comments to supplement the filing that NUMARC will make on behalf of the industry. Attached is a draft of the response that we intend to file on behalf of the industry. I appreciate any thoughts or comments you might have.

We've also been advised that the filing deadline has been extended from June 8, 1988 to June 23, 1988.

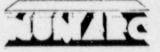
Sincerely Rob Bishop General Counsel

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1776 Eye Street: N.W. • Suite 300 • Washington, DC 20006-2496 (202) 872-1280

Joe F. Colvin Executive Vice President & Chief Operating Officer

June , 1988

Mr. Samuel J. Chilk
Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Attention: Docketing and Service Branch

Re: Revision to 10 CFR 50 - Emergency Planning and Preparedness Requirements for Nuclear Power Plant Loading and Initial Low Power Operations - 53 FR 16435 (May 9, 1988) -Proposed Rule

Dear Mr. Chilk:

These comments are submitted on behalf of the Nuclear Management and Resources Council, Inc. ("NUMARC") in response to the request of the U.S. Nuclear Regulatory Commission ("NRC") for comments on the emergency preparedness requirements necessary to support issuance of a license for fuel loading and low power operations. NUMARC is the organization of the nuclear power industry that is responsible for coordinating the combined efforts of all utilities licensed by the NRC to construct or operate nuclear power plants, and of other nuclear industry organizations, in all matters involving generic regulatory policy issues, and on the regulatory aspects of generic operational and technical issues affecting the nuclear power industry. Every utility responsible for constructing or operating a commercial nuclear power plant in the United States in a member of NUMARC. In addition, NUMARC's members include major architect-engineering firms and all of the major nuclear steam supply system vendors. Mr. Samuei J. Chilk June 2, 1988 Page Two

We support the NRC's proposed amendment to its regulations regarding emergency planning and preparedness requirements. We agree with the NRC that this proposed rulemaking has generic implications, although its first application may well be in the Seabrook adjudication. In SECY-84-156, dated April 12, 1984, the NRC staff detailed its evaluation of the risk to the health and safety of the public of nuclear power plant operations at low power levels. The conclusion documented in that report supports the NRC's judgment that this rule has generic implications and that there is substantial technical justification for the proposed rule. Although by its terms this amendment would apply only to stations presently under construction seeking authorization for low power operations, it clearly will be applicable to any future license applications for fuel loading and low power operations.

We support the general principle that no regulations should be promulgated or modified without a sound technical justification. We further support the goal of ensuring that regulations are stated as clearly and unambiguously as possible so that all parties affected in the regulatory process (i.e., licensees, NRC staff and the public) will be able to understand better the intent and effect of the regulations and comport their actions accordingly.

We encourage the NRC to adopt the proposed revision to 10 CFR 50.47(d) and to implement the proposed amendment as soon as possible, not only to clarify the regulation with request to its applicability in the Seabrook proceeding but also because of its implication to other situations. We Samuel J. Chilk June 2, 1988 Page Three

appreciate the opportunity to comment on the proposed rule and would be pleased to discuss our comments further with appropriate NRC staff personnel.

Sincerely,

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Joe F. Colvin

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