



DRAFT

NUCLEAR MANAGEMENT AND RESOURCES COUNCIL

1776 Eye Street, N.W. • Suite 300 • Washington, DC 20006-2496
(202) 872-1260

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 is a member of NUMARC. In addition, NUMARC's members include major architect-engineering firms and all of the major nuclear steam supply system vendors.

DS-10

Mr. Samuel 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 respect to its applicability in the Seabrook proceeding but also because of its implication to other situations. We

DS-10

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,

Joe F. Colvin

JFC:cb/bb

DS-10