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USNRCDecember 21, 1998
RC-98-0230

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PROPOSED RULE **PR** 50,52+72
(63FR56098)

Mr. John C. Hoyle
Secretary of the Commission
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Gary J. Taylor
Vice President
Nuclear Operations

Attention: Rulemakings and Adjudications Staff

Dear Sir:

Subject: VIRGIL C. SUMMER NUCLEAR STATION
DOCKET NO. 50/395
OPERATING LICENSE NO. NPF-12
Proposed Rulemaking to Amend 10 CFR Parts 50, 52, and
72, Changes, Tests and Experiments
63 Federal Register 56098, dated October 21, 1998

South Carolina Electric & Gas Co
Virgil C. Summer Nuclear Station
P. O. Box 88
Jenkinsville, South Carolina
29065

South Carolina Electric and Gas (SCE&G) has reviewed the Federal Register Notice of October 21, 1998 that provides details of the NRC proposed rulemaking to amend 10 CFR Parts 50, 52, and 72, Changes, Tests and Experiments. SCE&G has also reviewed the comments submitted to you by the Nuclear Energy Institute (NEI) dated December 21, 1998.

SCE&G fully endorses the comments submitted by NEI.

Additionally, SCE&G would like to note the following specific objections to the proposed rulemaking for Reporting and Recordkeeping Requirements:

No expansion of 10 CFR 50.71(e) is necessary to address increases in the consequences of an accident or malfunction.

SCE&G recommends that the Commission define minimal increases so as to allow a given change to consume up to 10% of the remaining margin to the applicable regulatory (10 CFR)

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limit. Limiting increases to a small fraction of the available margin ensures that any approach toward an applicable regulatory limit would be, at most, a slow one. As described in the industry comment, licensees would be further limited by any applicable acceptance guidelines.

As noted in the NOPR, this approach ensures that applicable regulatory limits cannot be exceeded. Based on this self-limiting feature, and the small fractional steps (a maximum of 10% of available margin) permitted under this approach, we feel it is unnecessary to add new NRC requirements for tracking the cumulative effects of such changes. (NOTE: Tracking of cumulative effects is already performed per Engineering procedures as part of maintaining design bases.)

In addition to the potential to substantially increase burden associated with updating FSARs, the specific proposal in the NOPR is presented with virtually no discussion about how the new requirement would be implemented. In particular, SCE&G is deeply concerned about what is meant by *"the net effect of all changes made since the last update on the safety analyses, including probabilities [which are not found in the VCSNS FSAR], consequences, calculated values, system or component performance..."* and how the updated information is to be *"...appropriately located in the FSAR."* Prior to the NOPR, there had been no discussion with the Nuclear Power Industry about a potential need for new reporting requirements or possible alternatives.

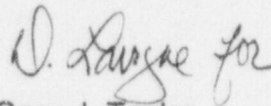
We understand that the proposal to track cumulative effects via expanded reporting requirements was included because it might be appropriate for implementing the minimal increase standard. Because of the way the minimal increase standard is to be structured in the rule and supporting implementation guidance, it is unnecessary to expand the existing 10 CFR 50.71(e) reporting requirements for the purpose of tracking cumulative effects.

In summary, SCE&G opposes the proposed changes to 10 CFR 50.71(e). However, if the Commission elects to establish new reporting requirements in connection with this rulemaking, we request that the industry be given appropriate opportunity to continue the cooperative effort with NEI and the Nuclear Power Industry to work with the NRC staff to address the significant associated implementation concerns.

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Should you have any questions, please contact Mr. Michael J. Zaccone at (803) 345-4328.

Very truly yours,


Gary J. Taylor

MJZ/GJT/dr

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RTS (PR 980007)
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