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(63FR56098)

A. Edward Scherer
Manager of
Nuclear Regulatory Affairs

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December 21, 1998

Secretary
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
Attention: Rulemaking and Adjudications Staff

Gentlemen:

Subject: Southern California Edison Comments on Proposed Rulemaking to 10 CFR 50.59,
"Changes, Tests, and Experiments" (63 Fed. Reg. 56098 - October 21, 1998)

This letter provides the Southern California Edison Company (SCE) comments on the subject proposed rulemaking. **SCE has participated in, and supports, the Nuclear Energy Institute (NEI) comments on these proposed revisions to the Rule.**

SCE understands that the proposed rulemaking seeks to:

1. Clarify which changes, tests, and experiments require evaluation and prior Commission approval.
2. Reorganize the Rule requirements for clarity and establish definitions for terms that have been subject to differing interpretations.
3. Clarify evaluation criteria for determining when a proposed changes, test, or experiment requires prior Commission approval.

SCE supports the intent of the proposed changes to 10 CFR 50.59 and its applicability to Part 72. These proposed changes are essential to overcome NRC's recent restrictive interpretation of 10 CFR 50.59 and to restore the original purpose of the Rule. SCE believes that the NEI proposal improves upon the options discussed in the proposed rulemaking and produces a step towards a more workable approach to evaluating plant changes. As a result, and as noted above, SCE endorses the NEI proposal.

If the Commission should conclude that it can not, or will not, adopt the NEI proposal, SCE would take this opportunity to endorse the option included in the proposed rulemaking to remove the "margin of safety" criteria from 10 CFR 50.59. SCE believes that the remaining six screening criteria could be modified to provide adequate assurance of identifying changes which require prior NRC approval.

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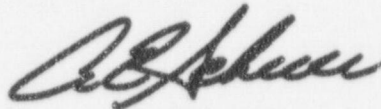
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Further, should the Commission conclude that neither the NEI proposal nor the proposal to delete the "margin of safety" criteria can be found to be acceptable, SCE would then recommend that the definition of "minimal" for increase in consequences and/or reductions in margins of safety be explicitly defined as reductions of twenty percent (20%) of the remaining difference between the current values and the acceptance guidelines. (This would serve as a modification of the "third options" as discussed in the proposed rulemaking.)

Finally, Southern California Edison encourages the Commission to now move as expeditiously as possible to complete its revision to 10 CFR 50.59 by addressing the question of the scope of the Rule. We believe that the current interpretation in use by the Staff is one that is overly broad and results in the dilution of the ability of Licensees, and the Staff, to focus on issues important to safety.

If you have additional questions regarding our comments, please feel free to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read "E. McKenna", written in a cursive style.

cc: Document Control Desk
Eileen McKenna, NRR
Naiem Tanious, NMSS