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965 Chesterbrook Boulevard
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November 24, 1999

DOCKET NUMBER
PROPOSED RULE PR 20
(64FR35090)

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

Subject: Supplemental Comments Concerning "Release of Solid Materials at Licensed Facilities: Issues Paper, Scoping Process for Environmental Issues, and Notice of Public Meeting" (64FR35090, dated June 30, 1999)

Dear Sir:

By letter dated November 10, 1999, PECO Energy submitted comments regarding rulemaking "Release of Solid Materials at Licensed Facilities: Issues Paper, Scoping Process for Environmental Issues, and Notice of Public Meeting." The Nuclear Regulatory Commission (NRC) is considering a rulemaking that would set specific requirements on releases of solid materials in order to establish a regulatory framework more consistent with existing NRC requirements on air and liquid releases. Our letter was submitted in response to the NRC's request for comments published in the Federal Register (i.e., 64FR35090, dated June 30, 1999).

PECO Energy appreciates the opportunity to comment on the proposed rulemaking on "Release of Solid Materials at Licensed Facilities" and offers additional comments for consideration by the NRC.

Comments

1. PECO Energy applauds the NRC's efforts to address the current mix of regulatory approaches and case-by-case exceptions under 10 CFR 20.2002. If approved, this initiative would provide for clearly defined, risk-based regulation of solid materials, similar to those in long-standing use for liquid and gaseous releases.
2. Clearance of solid material is unavoidable and is already on-going at nuclear industrial, medical and research facilities. PECO Energy believes that standardization and clarification of solid material release criteria would help build confidence and trust, while reducing the regulatory burden for the NRC and licensees through fewer exemption requests.

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3. PECO Energy recommends that a practical, non-zero standard be adopted by the NRC. The assumptions used to derive release limits from dose limits should be realistic, not excessively conservative, yet provide for public health and safety. The rulemaking should address all materials entering and leaving nuclear facilities. The current draft NUREG-1640 addresses a very limited range of materials. PECO Energy recommends that the NRC consider endorsing ANSI N13.12 "Surface and Volume Radioactivity Standards for Clearance" (draft standard) as part of the rulemaking.

In summary, PECO Energy Company supports the NRC's initiative for clearance of solid materials from licensed nuclear facilities. The NRC should be willing and able to definitively state that material cleared under any standard is clean and safe. A practical dose-based standard would be an improvement over the current mix of regulatory approaches, while continuing to provide for public health and safety.

If you have any questions, please do not hesitate to contact us.

Very truly yours,

Handwritten signature of D. B. Keller in cursive, followed by the letters "FOR" in a larger, bold font.

James A. Hutton, Jr.
Director - Licensing