

DOCKET NUMBER

PETITION RULE PRM 72-5  
(65FR 36647)Portland General Electric  
71760 Columbia River Hwy.  
Rainier, OR 97048

August 23, 2000

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Office of the Secretary  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Attn: Rulemakings and Adjudications Staff

Subject: Comments on Petition for Rulemaking -10 CFR 72, Docket No. PRM-72-5; Proposed Modifications to the NRC Process for Spent Fuel Storage Cask Certification

Portland General Electric Company (PGE) fully supports the Nuclear Energy Institute (NEI) position regarding the Nuclear Regulatory Commission's (NRC's) ongoing activities to streamline the process for issuing and amending certificates of compliance (CoCs) for spent fuel storage casks for use under the general license provisions in 10 C.F.R. Part 72. NEI provided a proposal regarding this issue via letter dated April 19, 2000, and is providing in August 2000 additional comments on the resulting petition for rulemaking (PRM-72-5).

The alternative regulatory process which is described in part in the NRC's notice of receipt of the petition for rulemaking and completed by NEI's comment letter provides an appropriate risk-informed, performance-based alternative to the cumbersome notice and comment process currently applied to the consideration of applications for new CoCs and amendments to existing CoCs. Accordingly, the NRC should proceed to rulemaking to adopt this alternative process.

It is recognized that the proposed improvement in dry cask storage regulations also benefits site-specific dry cask storage licensees, such as PGE. A final rule (65 FR 50606) issued August 21, 2000, added 10 CFR 72.46(e) which states:

If an application for (or an amendment to) a specific license issued under this part incorporates by reference information on the design of a spent fuel storage cask for which NRC approval pursuant to subpart L of this part has been issued or is being sought, the scope of any public hearing held to consider the application will not include any cask design issues.

Streamlining the process for issuing and amending certificates of compliance (CoCs) directly facilitates and supports the use of this recently issued rule.

Thank you for the opportunity to provide our comments on this petition for rulemaking.

Sincerely,

Lansing G. Dusek  
Manager, Nuclear Regulatory Affairs

Template = SECY-067

SECY-02

**From:** "Lanny Dusek" <Lanny\_Dusek@pgn.com>  
**To:** <DLM1@nrc.gov>  
**Date:** Wed, Aug 23, 2000 9:31 PM  
**Subject:** Comments on PRM-72-5

I was unable to upload to the rulemaking website an MSWord file providing comment on the subject petition for rulemaking, so I've attached the file to this e-mail instead. If you have any questions, please e-mail me or contact me via telephone at (503)556-7409.  
Thank you,

**CC:** <apn@nei.org>, <lxh@nei.org>, <Gary\_Zimmerman@pgn....