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ATTN: Rulemakings and Adjudications Staff

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OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

**STRATEGIC TEAMING AND RESOURCE SHARING (STARS)
COMMENTS ON PROPOSED RULE**

Use of Electronic Submissions in Agency Hearings
(RIN 3150-AH74, 70 FR 74950,
Dated October 19, 2005)

Dear Sir or Madam:

The Strategic Teaming and Resource Sharing (STARS)¹ Alliance appreciates the opportunity to provide comments on the proposed rule, "Use of Electronic Submissions in Agency Hearings." The Alliance supports the proposed rule because electronic filing is faster, more efficient, and less expensive. Comments on the proposed rule and guidance document are provided in the enclosure to this letter.

STARS appreciates the opportunity to comment on this proposed rule and guidance document. If there are any questions regarding these comments, please contact me at 254-897-6887, or dwoodla1@txu.com, or Carl Corbin at 254-897-0121, or ccorbin1@txu.com.

Sincerely,

D. R. Woodlan, Chairman
Integrated Regulatory Affairs Group
STARS

Enclosure

¹ STARS is an alliance of six plants (eleven nuclear units) operated by TXU Power, AmerenUE, Wolf Creek Nuclear Operating Corporation, Pacific Gas and Electric Company, STP Nuclear Operating Company and Arizona Public Service Company.

The STARS Alliance respectfully submits the following comments:

1. Federal Register, Volume 70, (70 FR), page 74951, the second full paragraph of the left-hand column states the following:

"For the E-Rule, the NRC addressed technical matters (document format, size, file naming conventions, resolution, etc.) in a guidance document rather than in the regulations to avoid frequent rulemakings to incorporate technological advances into NRC practice. Although the amendments to the regulations allowed electronic submissions, an accompanying guidance document contained the detailed technical standards and procedures for electronic submissions to the NRC."

STARS concurs with the decision to address technical matters in a guidance document to avoid frequent and unnecessary rulemaking. The E-filing guidance document needs to provide a process for industry input and feedback into this guidance document on an ongoing basis. Also advance notice should be provided to the industry before the guidance document is amended.

2. 70 FR 74970, Section 3.5, Electronic File Naming Conventions, the first bullet under the right-hand column:

"The first three characters of the file name should always be used to identify the sequence of the file in the organization of the document. For example, a document may be comprised of 3 separate files. The name of the first file for the document would start with "001," the name of the second file that comprises the document would start with "002" and so on for as many files as necessary to comprise the document. For consistency, if a document is comprised of only one file, the file name should still begin with "001."

Plants establish file naming conventions so that certain interactive features can be integrated into the electronic files improving efficiency and adding value. As technology advances many electronic files are enhanced with features such as linking and indexing capability. Renaming these files prior to submittal to the NRC results in loss of these interactive features. This requirement to rename files causes enhanced features of PDF documents to become unusable. The guidance should allow exceptions or dual submittals if the original file naming convention adds value to the end user. The guidance should also allow submittal of nested folders / files since some of the features rely on unchanged relative file paths.

3. 70 FR 74970, the first paragraph under Section 3.6, "Security / Access Settings" states the following:

"Submissions should not contain any security settings, password protections, or any other attributes that will prevent full NRC access to and use of the files. NRC's internal security and archival processes will maintain the integrity of the materials that are submitted."

Utilities should be allowed to add certain digital security features currently provided with Adobe Acrobat®. Digital signatures prevent unwanted changes to a PDF document. For example, an individual or organization may not want an approved revision of a document changed. Just as the EIE process allows the NRC to authenticate documents from submitters, digital signatures allow the industry to authenticate documents internally. Use of digital signatures should not conflict with the EIE process which signs the electronic submittal, not the document being transmitted. However, use of digital signatures would not comply with the proposed guidance's file naming convention. This is another reason exceptions to the file naming convention should be allowed (see comment in item 2 above.)

4. 70 FR 74974, Under "Attachment A – Settings," states the following:

"The following table provides guidance on the settings to be used when using Adobe® Distiller 6 to produce an optimal PDF for submission and subsequent use by NRC staff and the public. When PDF creation software other than Adobe® Distiller 6 is used, the PDF creation software should be configured with parameter values equivalent to those listed below."

"Options – General – Auto-Rotate – Recommendation Optimal on 5.0 – [blank]"

The proposed guidance indicates no preference for the auto-rotate setting whereas the NRC's "Desk Reference Guide for PDF Document Generation," published on the NRC's web site indicates that the distiller settings for auto-rotate should be set to "off" for Adobe® Distiller 6 or 7. The guidance document and the NRC's desk reference guide should be revised to allow auto-rotate settings of "Collectively by File" or "individually." This setting optimizes a PDF file for screen viewing in the case where a file contains text pages oriented in portrait layout and tables pages oriented in landscape layout. The auto-rotate does not impact printing of a PDF document.

5. STARS supports the proposed rule because electronic filing is faster, more efficient, and less expensive. The proposed e-filing guidance and the guidance document currently posted on the NRC's web site should be updated to address the comments above.