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RS-15-177

June 15, 2015

Ms. Cindy Bladey
Office of Administration
Mail Stop: OWFN-12-H08
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Comments on Draft Regulatory Guide DG-5057, "Special Nuclear Material Control and Accounting System for Non-Fuel Cycle Facilities" (Federal Register 80FR27709, dated May 14, 2015, Docket ID NRC-2015-0120)

This letter is being submitted in response to the U.S. Nuclear Regulatory Commission's (NRC's) request for comments concerning the subject draft Regulatory Guide DG-5057, "Special Nuclear Material Control and Accounting System for Non-Fuel Cycle Facilities," published in the *Federal Register* (i.e., 80FR27709, dated May 14, 2015).

DG-5057 is proposed Revision 3 of Regulatory Guide 5.29, "Special Nuclear Material Control and Accounting System for Non-Fuel Cycle Facilities," dated June 2013. DG-5057 describes methods and procedures that the NRC considers acceptable for implementation and maintenance of a Special Nuclear Material (SNM) control and accounting system. DG-5057 applies to non-fuel cycle facilities, including nuclear power reactors, research and test reactors, Independent Spent Fuel Storage Installations (ISFSIs), and licensees authorized to possess or use SNM in a quantity greater than 350 grams of contained uranium-235, uranium-233, or plutonium or any combination thereof.

Exelon Generation Company, LLC (Exelon) appreciates the opportunity to comment on the subject draft Regulatory Guide (RG), which provides additional guidance and details to incorporate rule changes due to increased security requirements. The draft RG still endorses ANSI N15.8-2009, "Material Control Systems - Special Nuclear Material Control and Accounting Systems for Nuclear Power Plants," but now mentions this as only an acceptable approach to meet "in part" the Material Control and Accounting (MC&A) requirements. Exelon believes that the ANSI standard is adequate to ensure the applicable regulations are met, and to ensure the ability to detect any loss, theft, diversion, or misuse of SNM for a nuclear power plant that stores SNM inside the protected area. Most of the additional requirements are consistent with the existing practices at a nuclear power plant.

SUNSI Review Complete

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Add= T. Pham (NRP)

m. Pryor (mmb1)

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Exelon offers the following additional comments for consideration by the NRC.

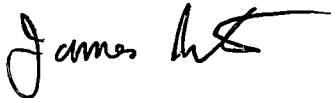
Comments

Section C.2.J.(1) of the draft RG states that: *"within a particular site, the areas of increased vulnerability to loss or diversion of SNM should be identified and evaluated with the assistance of appropriate security personnel."* Implementation of existing security requirements (e.g., 10 CFR 73) would preclude any increased vulnerability within a nuclear power plant. Unauthorized entry is prevented onsite where the SNM is located, and exit from the plant is monitored for radiation; therefore, Exelon believes that any attempt to remove SNM from the site would be detectable and prevented.

Section C.2.K.(2) of the draft RG discusses the need for limited monthly inventories of SNM. The requirements of 10 CFR 74.19(c) already require complete annual inventories. With the security requirements already in place, Exelon believes that there would be no appreciable increase in safety provided by these monthly limited inventories. Any discrepancies in records will be detected during the annual inventory. Since there is no risk of loss, theft, diversion, or misuse during the interim due to the security measures described above, Exelon believes that there is no additional benefit of this recommendation, and suggests that the need for limited monthly inventories be reconsidered.

If you have any questions or require additional information, please do not hesitate to contact Richard Gropp at (610) 765-5557.

Respectfully,

A handwritten signature in black ink, appearing to read "James Barstow", with a stylized flourish at the end.

James Barstow
Director, Licensing and Regulatory Affairs
Exelon Generation Company, LLC