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March 30, 1993

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

ATT: Docketing and Service Branch

Subject: Comments Regarding Proposed Procedures and Criteria for On-Site
Storage of Low-Level Radioactive Waste (Federal Register, Vol. 58, No. 20,
Pg. 6730)

Rochester Gas & Electric Corporation (RG&E) is an investor owned utility that has operated the R.E. Ginna Nuclear Power Plant for more than twenty years. RG&E serves nearly one million people in Upstate New York. Nuclear generation accounts for nearly half of our electrical generation.

RG&E respectfully submits the following comments concerning the subject proposed rulemaking for on-site storage of low-level radioactive waste that was published in the Federal Register on February 2, 1993:

General Intent:

RG&E agrees with the NRC's general view that the permanent disposal at an appropriate off-site facility is the preferred option, and is clearly the intent of the 1985 Low-Level Radioactive Waste Policy Amendments Act.

Furthermore, RG&E holds firmly to the idea that permanent disposal can be achieved now by the application of any number of techniques, each employing conservative design and natural site features which will keep exposure risk to both workers and the general public at levels well below current requirements.

We share the NRC's concerns about the potential for increased occupational radiation exposures caused by on-site storage requirements, including the need for additional waste handling, repackaging and surveillance.

We are encouraged by the NRC's willingness to undertake this issue and fully expect that NRC will continue, perhaps even more forcefully, to motivate reluctant legislative bodies to initiate permanent disposal site development. It is clear that some states will not move forward with permanent site development as long as they believe that there is no "down side" to their continued delay.

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Requirement to Exhaust Other Reasonable Management Options

RG&E's principal concern with the proposed rulemaking centers on the requirement to exhaust "other reasonable waste management options which would include taking all reasonable steps to contract, either directly or through the State, for the disposal of LLW".

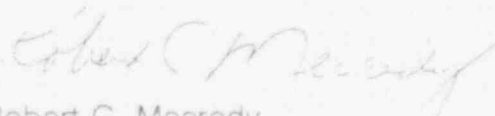
As the NRC is aware, the costs of permanent disposal increased dramatically in 1993 with the imposition of the Southeast Compact's site access fee and associated penalty fees. These added costs are born by our customers. There is serious question whether, in terms of cost, the current LLW management option licensees are being required to utilize is reasonable, given recent fee increases. We can only assume that, should it be contractually possible to dispose of LLW after June 30, 1994, the associated costs will be equivalent or higher. Therefore, we are concerned that the proposed rulemaking's ambiguous language may force licensee's to accept any off-site disposal opportunity, regardless of cost or other factors.

We recommend that the NRC provide flexibility in its concept of reasonableness, to allow consideration of costs in addition to the practical and safety aspects of LLW management options. It would also be useful for the commission to provide some examples of how far a licensee needs to go to adequately demonstrate that it has exhausted reasonable alternatives.

Fundamentally, however, the final decision whether to store or ship LLW should be the utility's, once all key factors concerning safety and the economic benefits to its customers are carefully considered.

RG&E appreciates the opportunity to comment on this important matter, and we thank you for your consideration of our concerns.

Very truly yours,



Robert C. Mecredy
Vice President
Nuclear Production