

Duquesne Light Company

DOCKET NUMBER

SECTION RULE PRM 50-55
(55FR18608)

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BRANCH

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Secretary of the Commission
U. S. Nuclear Regulatory Commission
Attn: Docketing and Service Branch
Washington, DC 20555

Reference: Notice of Receipt of Petition for Rulemaking -
Yankee Atomic Electric Company,
Docket No. PRM-50-55, 55FR18608

Gentlemen:

These comments are submitted by Duquesne Light Company (DLC) in response to a request by the U.S. Nuclear Regulatory Commission (NRC) for comments on a petition for rulemaking filed by the Yankee Atomic Electric Company. The notice of receipt of petition for rulemaking was published in the Federal Register on May 3, 1990 (55FR18608).

The petitioner requests that the NRC change the requirement that nuclear power plant licensees file revisions to the final safety analysis report (FSAR) no less frequently than annually. The petitioner also requests that the regulations require that revisions be filed no later than six months after completion of each planned refueling outage for a licensee's facility. The petitioner believes this change would permit more effective use of licensee and NRC resources and allow more meaningful scheduling for FSAR updates.

DLC believes that the petitioner's suggested schedule for updating the FSAR would be only marginally advantageous. Certain costs are incurred regardless of the timetable used in submitting FSAR updates. Also, the NRC would expend an equal amount of resources reviewing the FSAR amendments for any revision frequency because the technical content will be unchanged.

The petition would give the Executive Director for Operations (EDO) authority to impose a specific submittal date on a licensee, but does not appear to impose any guidelines for exercising this authority. 10CFR50.54(f) gives the EDO authority to request a licensee to submit important information and also specifies guidelines to follow when considering such a request. Therefore, if adopted, the phrase, "unless directed otherwise by the EDO" should be deleted in favor of a reference to 10CFR50.54(f).

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The petitioner believes that major modifications performed during refueling outages give rise to the most extensive and meaningful changes to the FSAR. DLC believes that program changes, organizational changes, and changes to analyses can be equally extensive and meaningful from a regulatory standpoint. Increased timeliness of reporting significant plant modifications may be offset by a decrease in the timeliness of reporting other types of changes.

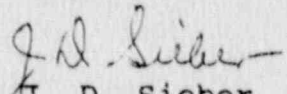
The petitioner states that many of the costs of producing a FSAR revision are independent of the size or content of the revision. The costs of distribution, controlled copy accountability, preparation of insertion instructions, and changes to Tables of Contents are examples of costs that are not affected by the size of a revision. However, the costs of preparation, reviewing, word processing and printing associated with specific changes are not independent of the size of a revision and these costs contribute more to the total cost of publishing a FSAR update. The latter costs would be incurred regardless of how often the FSAR is revised.

Since it is suggested that administrative burden on the NRC would be reduced, the NRC should consider whether costs associated with administrative processing of an amendment (i.e. receiving, distribution, etc.) are significant when compared to costs of reviewing the technical content of the amendment. Review costs would be unchanged because the technical content of the FSAR amendment will be the same regardless of how often the FSAR is revised.

If implemented, the rule should allow a licensee the choice of continuing with the current method of submittal. It has, in the past, been sufficient to satisfy regulatory needs and no new regulatory concerns in this area are in evidence.

Thank you for the opportunity to comment on this issue. DLC looks forward to working with the NRC on future regulatory changes.

Very truly yours,


J. D. Sieber
Vice President
Nuclear Group