

DOCKET NUMBER
PETITION RULE PRM 50-59
(59FR23641)

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USNRC

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**ILLINOIS
POWER**

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July 21, 1994

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

Docket No. 50-461

Secretary
U.S. Nuclear Regulatory Commission
Attention: Docketing and Service Branch
Washington, D.C. 20555

Subject: Illinois Power's Concurrence with Virginia
Power's Filing of Petition for Rulemaking

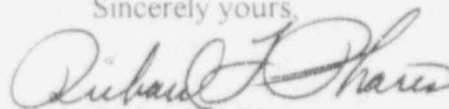
Dear Sir:

As discussed in the Federal Register, Volume 59, No. 87, Pages 23641 and 23642, Virginia Power (VP) submitted a filing of petition for rulemaking. This petition requested that the Commission amend its regulations to change 10 CFR Parts 50 and 73 for the frequency with which each licensee conducts independent reviews and audits of its safeguards contingency plan and security programs from at least every 12 months (annually) to nominally every 24 months (biennially). Illinois Power (IP) agrees with VP's conclusion that an annual review is not necessary to ensure an adequate safeguards contingency plan and security program, and that it is not appropriate considering the high standard of industry performance in this area.

During the last three years, the IP Nuclear Assessment Department has issued only one audit finding in the area of security. The change from annual to biennial independent reviews would allow more time for more urgent tasks that may not be required by regulations. The frequency of audits and reviews can always be increased if warranted by indications of declining performance, management requests, or significant program changes.

The filing of petition for rulemaking should be considered. IP supports their petition and believes that this is a valid cost beneficial licensing action (CBLA). This CBLA does not decrease the safe operation of a facility, but would increase a plant's safe operation as more resources could be applied to areas which could need additional attention.

Sincerely yours,



Richard F. Phares
Director, Licensing

JSP/csm

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cc: NRC Clinton Licensing Project Manager
NRC Resident Office, V-690
Regional Administrator, Region III, USNRC
Illinois Department of Nuclear Safety
Donald M. Olson, Virginia Power Company