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USNRC

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Secretary
U. S. Nuclear Regulatory Commission
Washington, DC 20555

Attention: Docketing and Service Branch

Gentlemen:

Subject: VIRGIL C. SUMMER NUCLEAR STATION
DOCKET NO. 50/395
OPERATING LICENSE NO. NPF-12
COMMENTS ON OHIO CITIZENS FOR
RESPONSIBLE ENERGY INC. PETITION FOR RULEMAKING

DOCKET NUMBER

PETITION RULE PRM 9-2

(59FR 30308)

This letter provides comments on Ohio Citizens for Responsible Energy Inc. (OCRE) petition for rulemaking to change the rules regarding public access to information as stated in 10 CFR Part 9, particularly information that is held by licensees but is not submitted to the NRC.

Regarding PRM-9-2, petition to the NRC for rulemaking, South Carolina Electric & Gas Company (SCE&G) disagrees with the petitioners position. Resulting rules would increase the administrative burden and costs to licensees while providing no benefit to public health and safety. Furthermore, lack of public access to information on nuclear regulation to the level desired by the petition would not undermine public confidence in the regulatory program of the NRC.

The proposed rule would be a significant burden on licensees. One example given in the petition of information not available to the public is compliance to the Station Blackout Rule. The Station Blackout Manual documents compliance to the Station Blackout Rule at V. C. Summer Station and contains dozens of references. Some of those reference documents have references themselves. The Appendix R Design Basis Document, referenced in the Station Blackout Manual, has 219 references. Screening the references along with the manual for relevance or proprietary information would significantly increase the burden on licensees. This burden would be multiplied for every separate request for information on Blackout Rule compliance received.

This increased burden could impede the normal work processes of a licensees staff. The licensee could receive numerous individual requests for information from groups such as OCRE, as well as private citizens. Even if a request were deemed frivolous, the licensee could be forced to prove this under the appeal process mentioned in the proposed rule. This added work load would increase administrative costs to the licensee while providing no real benefit to the health and safety of the public. Additionally, this proposed rule is not in the best interests of the customer since added costs to licensees would in turn result in added costs to their customers.

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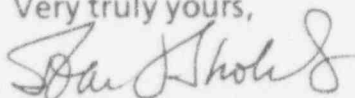
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Aside from the added burden to licensees, failure to implement the proposed rule would not undermine the public confidence in the NRC regulatory process. Public confidence in the NRC regulatory process, we believe, comes from the continued safe operation of NRC regulated facilities, not the level of access the public has to licensee information.

Considering that the proposed rule would increase the administrative burden and costs to licensees while providing no benefit to public health and safety, and that, contrary to the petition, lack of public access would not undermine public confidence in the regulatory program of the NRC, SCE&G does not agree with this petition. Under the current program, information relevant to a licensee's compliance to regulations such as the blackout rule is located in NRC inspection reports which are available to the public. It is the opinion of SCE&G that this program, which allows meaningful public participation in the regulatory process with no undue burden on licensees, should be maintained.

SCE&G appreciates the opportunity to review and provide comments on this petition for rulemaking.

Very truly yours,



John L. Skolds

JDH/JLS/nkk

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RTS (PR 940015)
File (811.02, 9.003)