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(59FR30308)

OFFICE
DOCKETING

AUG 31 1994

Mr. John C. Hoyle, Acting Secretary
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

ATTN: Docketing and Service Branch

**SUSQUEHANNA STEAM ELECTRIC STATION
COMMENTS TO "OHIO CITIZENS FOR
RESPONSIBLE ENERGY: PETITION FOR
RULEMAKING (PMR-9-2)
PLA-4193 FILE R41-2/A17-11**

Docket Nos. 50-387
and 50-388

Dear Mr. Hoyle:

Pennsylvania Power and Light Company (PP&L) endorses the comments submitted by the Nuclear Energy Institute (NEI) for the Federal Register notice concerning the Petition for Rulemaking (PMR-9-2) submitted by the Ohio Citizens for Responsible Energy (OCRE) requesting that NRC revise its regulations (10CFR9) to provide public access to information that is held by licensees but not submitted to the NRC (59FR30308). PP&L along with NEI urges NRC to deny OCRE's petition in its entirety.

PP&L's comments, which are similar to those being submitted by NEI, are as follows:

- PP&L believes that NRC's responsibility is to perform an oversight function to ensure the safe operation of nuclear power plants to protect the public health and safety. NRC therefore to a large degree represents the public interest. OCRE provides no evidence that the suggested changes to 10CFR9 are necessary to ensure that the NRC responsibly represents the public or that additional public oversight of the NRC and their licensees, through massive document requests, is necessary to further public health and safety.

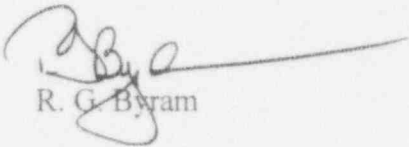
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- PP&L believes that NRC does not have the statutory authority to mandate public disclosure of licensee-held documents. The three Acts (The Freedom of Information Act, The Privacy Act and The Government in the Sunshine Act) which allow for public disclosure of information prevent NRC from granting OCRE's petition.
- Existing statutory and regulatory mechanisms reflect a sound public policy for determination of the most appropriate balance between the public's "right to know" and the rights of private entities (NRC licensees) to conduct their business.
- NRC has recognized that in some areas it is not necessary for licensees to provide the NRC with specific data, but rather that this data be maintained at the licensee's facility. This position remains appropriate and should be maintained.
- The proposed petition would create a significant administrative and cost burden to licensees to implement without a substantive corresponding benefit to the public.

PP&L appreciates the opportunity to comment on the OCRE petition (PMR-9-2).

Very truly yours,



R. G. Byram

cc: NRC Document Control Desk (original)
NRC Region I
Mr. D. J. Mannai, NRC Resident Inspector - SSES
Mr. C. Poslusny, Jr., NRC Sr. Project Manager