



NIAGARA MOHAWK POWER CORPORATION/NINE MILE POINT NUCLEAR STATION, P.O. BOX 63, LYCOMING, N.Y. 13093/TEL: (315) 349-2660
FAX (315) 349-2605

MARTIN J. McCORMICK JR. P.E.
Vice President
Nuclear Safety Assessment and Support

DOCKETED
USNRC

95 NOV 15 P6:08

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

November 9, 1995

DOCKET NUMBER 00
PROPOSED RULE 60, 72, 73, 75
(60FR 42079) (12)

Secretary
U. S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Sir:

These comments are submitted on behalf of Niagara Mohawk Power Corporation, operator of the Nine Mile Point Nuclear Station, in response to the Nuclear Regulatory Commission's (NRC) request for information and comments concerning *Safeguards for Spent Nuclear Fuel or High-Level Radioactive Waste* (60 Fed. Reg. 42079 - August 15, 1995).

Niagara Mohawk has reviewed the proposed rule as well as a draft of the prepared comments from NEI to be submitted to your office. We agree with the position taken by NEI in that the safeguards requirements for spent fuel "controlled access areas" do not, in our opinion, require the same level of protection as nuclear power plant "protected areas".

Niagara Mohawk is of the belief that the radiological consequences associated with sabotage attempts at independent spent fuel storage installations (ISFSIs) is low with respect to sabotage committed at operating nuclear power plants. In our opinion, merely tying the ISFSI protection requirements of Part 72 to those of the Part 73 requirements for physical protection of the protected area of a Part 50 Licensed Nuclear Power Plant, would result in an over commitment of protection and resultant excessive financial burden on licensees.

Niagara Mohawk appreciates the opportunity to comment on this proposed rule.

Yours truly,

Martin J. McCormick Jr.
Vice President
Nuclear Safety Assessment & Support

/sls

9511170058 951109
PDR PR
60 60FR42079 PDR

DS10