



Boston Edison

Pilgrim Nuclear Power Station
Rocky Hill Road
Plymouth, Massachusetts 02360

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E. T. Boulette, PhD

Senior Vice President — Nuclear

March 1, 1996
BECo Ltr. #96-020

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

DOCKET NUMBER
PROPOSED RULE **PR 20**
(61FR3334)

44

Attn: Docketing and Service Branch

Docket No. 50-293
License No. DPR-35

COMMENTS ON PROPOSED RULE 61FR3334

Pilgrim Nuclear Power Station (PNPS) has reviewed the NRC's proposed rule "Reporting Requirements for Unauthorized Use of Licensed Radioactive Materials" noticed for comment in 61FR3334 of January 31, 1996. The following are Pilgrim's comments on the proposed rule:

- The proposed rule change wording concerning what conditions must be met to require reporting is inexact. The level of situations of intentional or allegedly intentional diversion of radioactive material from its intended or authorized use is broad and could potentially result in unnecessary reporting of events that have little or no risk to the health and safety of the workers at a licensee's facility or to the general public.
- Due to the broad scope of events that could fall under the proposed rule, the specific associated violation and penalties (Severity Level III and assessment of civil penalties) are not appropriate.
- The proposed "appropriate corrective actions" listed are those normally taken by licensees in an event under investigation, therefore, the stated basis for notifying the NRC to ensure "prompt assurance that the licensee is taking the appropriate actions to assess the situation and to take the necessary steps to reduce any likelihood that further exposures would occur" is redundant and unnecessary.
- The estimated costs to licensees is seriously underestimated. For potentially reportable events, additional document preparation and internal reviews are expected to add up to 40 hours.

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Page 2

Should you require further information concerning these comments, please contact
Ms. Susan Landahl at (508) 830-8497.


E. T. Boulette, PhD

ETB/PMK/dmc/Rap96/radmat

cc: U.S. Nuclear Regulatory Commission
Attention: Document Control Desk
Washington, DC 20555

Mr. R. Eaton, Project Manager
Division of Reactor Projects - I/II
Mail Stop: 14D1
U. S. Nuclear Regulatory Commission
1 White Flint North
11555 Rockville Pike
Rockville, MD 20852

U.S. Nuclear Regulatory Commission
Region I
475 Allendale Road
King of Prussia, PA 19406

Senior Resident Inspector
Pilgrim Nuclear Power Station