



DOCKET NUMBER
~~PROPOSED RULE~~ PR-50 (8)
(50 FR 11884)

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ELECTRIC ENGINEERING
DEPARTMENT

May 31, 1985

DOCKETED
USNRC

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

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OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

Attention: Docketing and Services Branch

Subject: Comments on Proposed Rule
re: Communications Procedures (50 FR 11884)

Gentlemen:

Baltimore Gas and Electric Company has the following comments on the proposed changes to 10 CFR 50.4, et al:

1. While we agree that it is tidy to consolidate the requirements for written communications into one section of the regulations, there is no other clear benefit. Licensees must still read a particular regulation in order to comply, and they can just as easily (or more easily) read the requirements for number of copies, etc. in that particular regulation at the same time. Why bother with flipping between section 50.4 and some other particular section just to figure out how many copies to send or to whom? It is obvious that the Commission has expended considerable resources in cross-referencing between section 50.4 and all of the other sections with submittal requirements. We wonder if that wasn't a major waste of resources since the particular requirements for a particular regulation were probably already in that regulation ready for easy access.
2. The requirement for 37 additional copies of written communications specified in proposed para. 50.4 (b)(1) is excessive, with the possible exception of submittals in connection with construction permit and operating license proceedings. We have heard that, in many cases, the original version of correspondence is receipt-stamped and subsequently copied for NRC internal distribution, while the additional copies provided by the licensee are discarded. We have heard that this practice is considered easier than individually receipt-stamping all of the submitted copies. If our suspicion is correct, then some prompt action is in order to eliminate this gross waste of resources. Even if the 37 submitted copies are drawn from for NRC distribution purposes, we seriously doubt that as many as 37 copies are necessary for many of the types of correspondence listed in para. 50.4 (b)(1). Twelve copies seems to be a reasonable amount if it was determined that additional copies were necessary, a telephone call or brief note to the licensee would be all that would be required. We note that only two copies are required for items under para. 50.4 (b)(2), many of which are not significantly different from items under para. 50.4 (b)(1) from a licensee's viewpoint. In fact, one item is listed in both paragraphs (see 50.4 (b)(1)(xv) and 50.4 (b)(2)(xxi)) with conflicting requirements.

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add: Steve Scott, W-548

Acknowledged by card..... JUN 7 1985

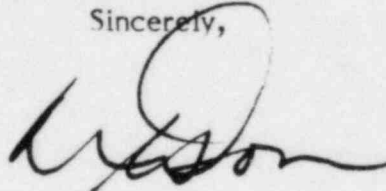
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3. As indicated above, there is at least one case of conflicting requirements for the same information. This tends to illustrate the contention that the Commission does not really know how many copies it really needs for any particular information and that the requirement for 37 copies is largely arbitrary.
4. We feel that the proposed requirement to cite in the upper right hand corner of the first page of all correspondence the specific regulation requiring that submittal is absurd (50.4 (e)). It implies that the NRC does not know its own regulations well enough to recognize information related to them; it assigns a schoolchild mentality to licensees; and it is ridiculous to put such picayune requirements in the regulations. We recommend that proposed paragraph 50.4 (e) be deleted.
5. We take exception with the proposed requirement (see 50.4 (f)) for a specific exemption under 10 CFR 50.12 in order to submit other than the number of copies specified in proposed 10 CFR 50.4. We question whether the Commission really wants to tie up the exemption process with such trivial matters.
6. We take exception to the proposed requirement (see 50.4 (c)) to obtain the prior approval of the Division of Technical Information and Document Control before submitting any information in other than paper form. We acknowledge the importance of documentation, but this proposed requirement is clearly a case of the tail wagging the dog! To impede the timely flow of information related (in some cases) to nuclear safety just to satisfy clerical ideosyncrasies misses the point of licensee-NRC communication entirely.

In conclusion, we feel that the proposed change is unnecessary and unacceptable for the reasons stated above. However, we do recommend that some changes be initiated, especially in the area of number of copies.

Sincerely,



R. C. L. Olson
Principal Engineer
Nuclear Licensing and Analysis Unit

RCLO/vf

cc: G. F. Trowbridge, Esq.