

DOCKET NUMBER PR-58  
PROPOSED RULE (50 FR 16506) 16  
BOSTON EDISON COMPANY  
800 BOYLSTON STREET  
BOSTON, MASSACHUSETTS 02199

WILLIAM D. HARRINGTON  
SENIOR VICE PRESIDENT  
NUCLEAR

DOCKETED  
USNRC

July 9, 1985  
BECO 85-126

'85 JUL 11 A10:30

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

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

Attn: Docketing and Service Branch

License DPR-35  
Docket 50-293

Comments on Proposed Rule for Granting  
Specific Exemptions to 10CFR Part 50

Dear Sir:

By Federal Register notice (50 Fed. Reg. 16506, April 26, 1985) the Commission published a proposed rule for granting specific exemptions to 10CFR Part 50. Boston Edison Company is licensed under 10CFR Part 50 and is therefore interested in the impact of this proposed rule on our licensed activities. We have reviewed the proposed rule and hereby submit comments reflecting our concerns.

It is our understanding that the proposed rule will attempt to clarify the standards to be used in considering requests for exemptions from certain requirements of 10CFR Part 50. We favor a clarification of the standards to be employed by the NRC staff in evaluating exemption requests, for it facilitates consistent and fair regulatory decisionmaking. Clarification of the exemption criteria is also in the best interest of the licensees. Advance knowledge of such criteria will allow a licensee to determine whether it is reasonable to submit an exemption request. If an exemption request is made by a licensee it will most likely be structured such that the requirements of proposed 10CFR 50.12(a) will be comprehensively addressed to permit the NRC staff to grant an exemption. This in turn will reduce the burden on the NRC staff when reviewing licensee exemption requests.

We also note that the proposed rule is an attempt to codify past NRC staff practice for evaluating exemption requests. This is a plausible objective but our concern is that the prescriptive content of the proposed rule is too narrow and actually reflects more stringent standards than the NRC staff has used in the past. For example, it defeats one of the underlying purposes of the rule which is to provide a means of granting relief from the regulations for special or unusual circumstances and undue hardship. We therefore request that the standards contained in the proposed rule be reexamined and broadened sufficiently to encompass all the intended objectives in order to provide a more reasonable mechanism for the NRC staff to grant exemptions or waivers.

D210  
add: J. F. Cannon, 9604 MMBB  
1/0  
Acknowledged by card JUL 12 1985

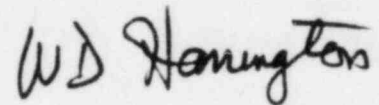
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Boston Edison Company appreciates the opportunity to comment on this proposed rule. We hope our views on this matter will be considered by the Commission in their disposition of this issue.

Very truly yours,

A handwritten signature in dark ink, appearing to read "W.D. Hamington". The signature is written in a cursive, slightly stylized font.

TFF/kmc