

PROPOSED RULE PR-40,70,150 (7)  
CP&L (50 FR 19695)

Carolina Power & Light Company

JUL 08 1985

SERIAL: NLS-85-260

Secretary, U. S. Nuclear Regulatory Commission  
1717 H Street, NW  
Washington, DC 20555

DOCKETED  
PC

ATTENTION: Docketing and Service Branch

'85 JUL 12 AM 10:05

Dear Sirs:

OFFICE: SECRETARY  
DOCKET: SERVICE  
CH

Carolina Power & Light Company (CP&L) has reviewed NRC's Notice of Proposed Rulemaking dated May 10, 1985 (50 FR 19695) regarding Special Nuclear Material (SNM) Material Balance Reports and provides the following comments.

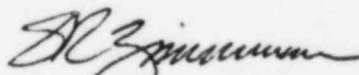
The NRC's effort to reduce the time and effort required to file semiannual inventory reports is greatly appreciated. However, from a power reactor's standpoint, very little would be gained from adoption of the proposed rule.

Carolina Power & Light Company understands that the proposed rule would require NRC to issue a Material Balance Report (Form 742) for every licensee at the end of each six month reporting period (i.e., March 31 and September 30). This report would provide a summary of the inventory changes that the licensee has reported to the NRC during the given period.

Power Reactor Licensees are currently required to report SNM production, burnup, and decay on a semiannual basis within 30 days of March 31 and September 30. Because the NRC prepared Form 742 will include only those inventory changes reported prior to April 1 and October 1, the NRC prepared Form 742 will not include inventory changes due to production, burnup, and decay. As a result, the licensee would have to correct the NRC compiled report each period.

Even if the proposed rule's report timing was modified such that the NRC compiled report (Form 742) would include these inventory changes, each licensee must still continue their current practices of material accountability and data handling to support submission of the Inventory Change Reports as well as verify the Material Balance Report's accuracy. NRC preparation of Form 742 may save a licensee a few manhours of effort, but given the added effort necessary to process another incoming report, verify its accuracy and possibly update it, the benefit of NRC preparation of Form 742 for power reactor licensees becomes marginal.

Yours very truly,



S. R. Zimmerman  
Manager

Nuclear Licensing Section

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40 50FR19695 PDR

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JUL 12 1985

Acknowledged by card.....

DOCKET NUMBER

PROPOSED RULE

PR-40,70,150  
(50 FR 19695)

(10)

**GPU Nuclear**

GPU Nuclear Corporation

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July 8, 1985

DOCKETED  
USNRC

'85 JUL 12 P3:47

Mr. Samuel J. Chilk  
Secretary of the Commission  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555

OFFICE OF REGULATORY  
DOCKETING & SERVICE  
BRANCH

Dear Mr. Chilk:

Subject: Request for Comments on Material  
Balance Report Proposed Rule

The staff of GPU Nuclear Corporation herewith submits comments on the subject proposed rule. Comments were requested in a May 10, 1985 Federal Register notice (50 FR 19695).

As a general comment, we do not agree that the proposed change is beneficial to licensees currently reporting under 10 CFR 70 for nuclear power plants. As an industry, we may end up with fewer submittals, but it appears that the man-hour requirements may increase significantly.

Our specific comments are contained in the enclosure.

Sincerely,

*JR Thorpe*

J. R. Thorpe  
Director  
Licensing & Regulatory Affairs

RPJ:dls:2068f  
Enclosure

DS 10/1  
add June Robinson, 88155

JUL 12 1985

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## ENCLOSURE

### GPU Nuclear Comments on Material Balance Proposed Rule

#### 1. Comprehensive Comments

- a. The workload to change existing programs and procedures would be significant and any such effort could result in the licensee's program being degraded from their current reviewed, audited and in-place accounting system.
- b. Continued submittal of Form 742 is considered appropriate. Review of new forms generated outside of the licensee organization is expected to be troublesome and resultant discrepancies difficult to resolve.
- c. If the NRC is late in generating their reports listed in 10 CFR 40.64, 70.53 and 150.17, we expect that licensees will receive an automatic extension of their report due dates under the same sections. This should be clarified.

#### 2. Part 40 Comments

- a. Under 10 CFR 40.64, the determining factors (limits) to decide whether "a change is necessary" in a material balance report (assuming there is a discrepancy) -- 1 gram or 1 kilogram, etc.--are unclear. This should also be clarified.
- b. With regard to the point raised in 2a., identified discrepancies will need to be resolved. How this is to be accomplished needs to be determined.

#### 3. Part 70 Comments

- a. The proposed change to 10 CFR 70.53 deletes the only regulatory requirement to report special nuclear material produced, consumed or decayed on a semi-annual basis. While 10 CFR 70.54 requires a DOE/NRC Form 741 to be completed "whenever he (the licensee) transfers or receives a quantity of special nuclear material...", without a corresponding change to require semi-annual reporting on Form 741, the deletion of 10 CFR 50.53 reporting would defeat the proposed rule's intention.
- b. The same concerns as contained in 2a and 2b - when are changes necessary and how are discrepancies resolved - arise for 10 CFR 70.53.