

**SIEMENS**

DOCKET NUMBER  
PETITION RULE PRM 30-61  
(61 FR 43193)

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October 24, 1996  
LJM:96:081

Secretary, U.S. Nuclear Regulatory Commission  
Washington, DC 20555  
Attn.: Docketing and Service Branch

OFFICE OF THE SECRETARY  
DOCKETING AND SERVICE BRANCH  
1996 OCT 29 10:37

Dear Madam Secretary:

**Comments on Petition for Rulemaking, Docket No. PRM-30-61**

These comments are being submitted by Siemens Power Corporation (SPC) in support of the subject petition for rulemaking submitted on behalf of nuclear materials licensees by the Nuclear Energy Institute. SPC, through its Nuclear Division, operates a low enriched uranium nuclear fuel fabrication plant located at Richland, Washington and is regulated as a major materials licensee under 10 CFR Part 70.

The objective of the petition is to establish a standby option for facilities, buildings, and outside storage areas in the timeliness rule [10 CFR 70.38(d)], to allow monitoring and maintenance in accordance with an approved program in lieu of beginning decommissioning after two years of inactivity, i.e., no principal activities conducted under the license. SPC strongly supports the provision of a standby option as sought by the petition. Although the underlying mission of our Richland nuclear fuel fabrication plant has remained essentially unchanged over our approximately twenty-five years of operation, the facilities, processes, and equipment necessary to produce our products continue to evolve. This includes basic product production areas, product packaging and storage facilities, and a wide array of support operations ranging from laundry to waste management. The result is that the missions of specific facilities, buildings, and outdoor areas change over time. These transitions may not occur within the 24 month window imposed by the current timeliness rule, in fact the next mission of an inactive facility, building, or outdoor area may be unknown, and remain unknown, for some period of time. However, our experience has dictated that a follow-on licensed activity will likely emerge.

Acceptance of the petition by the NRC will provide SPC with the business and operational flexibility needed to transition its plant facilities in response to market and technology developments without engaging in costly and premature decommissioning campaigns. The standby monitoring and maintenance activities can be accomplished in a manner fully protective of employees, the environment, and the public by means of the safety and environmental programs already conducted as conditions of our NRC license. As the petition establishes, the specifics of the monitoring and maintenance activities will be included in an approved program and financial assurance for decommissioning will continue to be provided under existing decommissioning funding plan requirements.

**Siemens Power Corporation**

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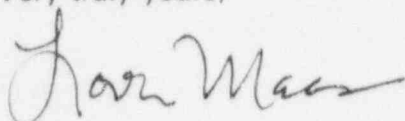
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In summary, SPC believes the petition for rulemaking supports a viable and flexible nuclear fuel fabrication industry and imposes no significant incremental risk to workers, the environment, or the public. We urge NRC's acceptance of the petition. If you have questions, please feel free to contact me on 509-375-8537.

Very truly yours,

A handwritten signature in cursive script, appearing to read "L. J. Maas".

L. J. Maas, Manager  
Regulatory Compliance

csk

cc: F. M. Killar, Jr., NEI