

**Florida  
Power**  
CORPORATION

TICKET NUMBER **PR-70,72 et al.**  
PROPOSED RULE **(50 FR 34708)** **(7)**

'85 DEC -2 AIO:49

November 26, 1985  
3F1185-26

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

Subject: Crystal River Unit 3  
Docket No. 50-302  
Operating License No. DPR-72  
Changes to Safeguards Reporting Requirements as  
Published in the Federal Register Volume 50,  
Number 166, Page 34706

Dear Sir:

Florida Power Corporation (FPC) offers the following comments on the proposed changes to the Safeguards Reporting Requirements.

As a general comment, the conclusion drawn in the "Summary" that "the elimination of unnecessary reporting . . . will result in significant savings for affected licensees . . ." apparently overlooks the increased burdens placed on licensees by the proposed rule. At this point, a "best guess" would say licensees may "break even" on cost of implementation of the proposed rule.

10CFR73 Appendix G

- I. FPC recognizes a need for changing the safeguards event reporting requirements, but disagrees with the requirement of Appendix G to report events "within one hour of discovery". In the notice of proposed rulemaking, there is acknowledgment of the problems associated with insufficient reporting deadlines following safeguard events, and the need to "allow the licensee's staff more time during the critical period immediately following such occurrence to devote to the resolution of the problem itself". It is our recommendation that the time interval for initial reporting of an event be increased to at least four (4) hours.

The reason for this recommendation is primarily to provide licensees sufficient time after discovery of the event to:

- 1) Establish immediate compensatory safeguard measures,

8512050006 851202  
PDR PR  
70 50FR34708 PDR

- 2) Determine the facts surrounding the event,
- 3) Evaluate the seriousness of the event and adequacy of initial compensatory measures, and
- 4) Provide an accurate report of the event.

An insufficient reporting deadline (1 hour), would potentially defeat the indicated purpose of the rule change, which is to improve the quality of the information provided to the NRC. It is the licensee's responsibility to provide security at the facility; there is nothing the NRC can do in the period of a few hours immediately following an event to enhance the licensee's response. It is more important to expend licensee resources on assuring security events are properly understood and compensated immediately upon discovery, than to expend those same resources on assembling a report to the NRC that would be sketchy at best. Both better security and better information would be provided by extending the reporting deadline to at least 4 hours.

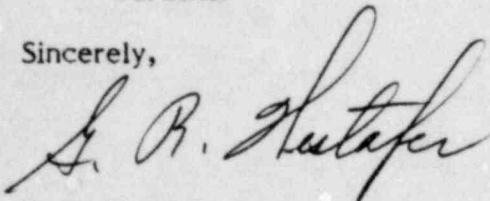
I.(a)(3)

This section could be made to more specifically address industrial/radiological sabotage related events. This may be accomplished by inserting the word "deliberate" between "the" and "unauthorized" such that the phrase would read: "Interruption of normal operation of a licensed nuclear power reactor through the deliberate unauthorized use . . . system."

- II. The requirement for completion and submission of quarterly logs is an addition of administrative work and not in step with . . . the elimination of unnecessary reporting . . ." as stated in the Summary. It appears the items identified as being required entries on this log are already being documented by FPC as they are corrected. Then ~~the~~ quarterly log would be an additional record that must be produced for the convenience of the NRC.

In addition, this log is to be submitted to the NRC for use in a "data analysis system which will provide feedback to the industry". Within the ideology of 10 CFR Part 170, the cost of this feedback would have to be paid by the licensee. FPC does not believe the benefits achieved by the "feedback" from the NRC could be justified by the additional costs and added reporting burdens.

Sincerely,



G. R. Westafer  
Manager, Nuclear Operations  
Licensing and Fuel Management

DVH/feb



DOCKET NUMBER

PROPOSED RULE

(50 FR 34708)

PR-70,72 et al. (6)

Northern States Power Company

414 Nicolet Mall

Minneapolis, Minnesota 55401

Telephone (612) 330-5500

'85 DEC -2

November 21, 1985

Secretary of the Commission  
Attention: Decketing and Service Branch  
US Nuclear Regulatory Commission  
Washington, DC 20555

Comments on Proposed NRC Rule Published  
in Federal Register on August 27, 1985,  
Safeguards Reporting Requirements  
10 CFR Parts 70, 72, 73, and 74

Northern States Power Company appreciates the opportunity to provide comments related to the proposed change to safeguards reporting requirements published in the Federal Register on August 27, 1985.

We welcome the proposed rule changes and support them. We have the following minor comments to offer, however:

Section 73.71(c)(2)

The requirement to submit to the NRC every three months copies of all safeguards event log entries not previously submitted would appear to be an unnecessary administrative burden. We propose that this section be changed to specify availability of the safeguards event log to the NRC Resident Inspector and other NRC inspectors involved in regular safeguards inspections. If this is not acceptable, perhaps an annual submittal of log entries could be substituted.

Appendix G, Section I(a)

This section is highly interpretive in nature. The term "credible threat" may be difficult in practice to define. The licensee and NRC could easily differ on whether or not a threat is credible.

DS10  
add: J. L. Gardumian, 88155  
P.A. Dunger, 88155  
Wm. Elmstead, 9604 MMBB

1/0



Secretary of the Commission

November 21, 1985

Page 2

Wording used in item (3) related to "interruption of normal operations" covers a broad spectrum as does the phrase "machinery, components or controls." It may be construed that vandalism to non-nuclear equipment or structures on the plant site could require reporting. This would not be consistent with the intent of the rule change.

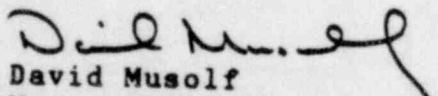
Appendix G, Section I, Item (c)

This item may be interpreted to apply to failures of administrative controls such as visitor escorting and tailgating through doors. If a security force member posted by an open barrier observes an unbadged individual momentarily enter the protected area, would a one-hour report be necessary? Some further clarification may be necessary to eliminate reporting of trivial matters.

Appendix G, Section II

This section is very general and subject to interpretation. The NRC Staff could be forced into an overly broad interpretation of this section, resulting in increased reporting of trivial matters. This would defeat the purpose of the rule change.

Please contact us if you have any questions related to the comments we have provided.



David Musolf  
Manager - Nuclear Support Services

- c: NRC Regional Administrator - III  
NRC Resident Inspector - Monticello  
NRC Resident Inspector - Prairie Island  
NRC NRR Project Manager - Monticello  
NRC NRR Project Manager - Prairie Island  
G Charnoff