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Serial: PE&RAS 00-078
August 10, 2000

Chief, Rules and Directives Branch
Office of Administration
U.S. Nuclear Regulatory Commission
Washington D.C. 20555

Subject: **Comments on Draft Regulatory Guide DG-1097, "Fire Protection for Operating Nuclear Power Plants" (65 FR 38866-June 22, 2000)**

In the Federal Register (June 22, 2000), the NRC issued Draft Regulatory Guide DG-1097 for public comment. Carolina Power & Light Company (CP&L), has participated in an industry effort with NEI to collect and transmit comments. CP&L endorses NEI comments transmitted by NEI letter dated August 10, 2000, "Industry comments on Draft Regulatory Guide DG-1097, "Fire Protection for Operating Nuclear Power Plants". In addition, we have the following concern.

The NRC states in the subject Draft Regulatory Guide: "Regulatory guides are issued to describe *to the public* methods acceptable to the NRC staff for implementing specific parts of NRC's regulations, to explain techniques used by the staff in evaluating specific problems or postulated accidents, and to provide guidance to applicants." As acknowledged by NRC staff and the industry, the subject document in its current form, represents a compilation of best practices implemented to various degrees across the industry. In fact, no individual licensee would be in full compliance with the proposed guidance. Publication in this form could mislead the public regarding the existing fire protection program at operating nuclear power plants. Therefore, we recommend that NRC separates new guidance from the compilation of existing guidance (the original intent) and publish it in a separate staff guideline. This would alleviate many industry concerns about the application of new guidance to current plant fire protection and safe shutdown programs.

Please contact me at (919) 546-4579 if you have questions.

Sincerely,

John R. Caves
Regulatory Affairs

CMI

65 FR 38866
June 22, 2000

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