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ATTN: Cindy Bladey
Office of Administration
Mail Stop: OWFN-12-H08
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

3/30/2016
81 FR 17740

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Re: Florida Power & Light Company
St. Lucie Units 1 and 2, Docket Nos. 50-335, 50-389

Turkey Point Units 3 and 4, Docket Nos. 50-250, 50-251

NextEra Energy Seabrook, LLC
Seabrook Station, Docket No. 50-443

NextEra Energy Duane Arnold, LLC
Duane Arnold Energy Center, Docket No. 50-331

NextEra Energy Point Beach, LLC
Point Beach Units 1 and 2, Docket Nos. 50-266, 50-301

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Subject: Request for Comment on the NRC "Integrated Action Plan to Modernize Digital Instrumentation and Controls Regulatory Infrastructure" (Docket ID NRC-2016-0068)

Florida Power & Light Company for itself, the licensee for the St. Lucie Nuclear Plant, Units 1 and 2, and the Turkey Point Nuclear Plant, Units 3 and 4, and on behalf of NextEra Energy Seabrook, LLC (NextEra Energy Seabrook) the licensee for Seabrook Station; NextEra Energy Duane Arnold, LLC (NextEra Energy Duane Arnold), the licensee for Duane Arnold Energy Center; and NextEra Energy Point Beach, LLC (NextEra Energy Point Beach), the licensee for Point Beach Nuclear Plant, Units 1 and 2 (collectively referred to as NextEra Energy), hereby submit comments on the "Integrated Action Plan to Modernize Digital Instrumentation and Controls Regulatory Infrastructure," published in the Federal Register on March 30, 2016 (81 FR 17740, [NRC-2016-0068]).

In addition to the attached comments, NextEra endorses the comments provided by the Nuclear Energy Institute (NEI) on this subject, and offers the attached supporting comments.

We appreciate the NRC's consideration of NextEra's comments.

Sincerely yours,

Larry Nicholson
Director, Nuclear Licensing and Regulatory Compliance

Attachment (1)

SUNSI Review Complete

Template = ADM - 013

E-RIDS= ADM-03

Add= J. Keene (JTK1)

Attachment 1 - FPL/NextEra Energy Comments on Draft Action Plan
"Integrated Action Plan To Modernize Digital Instrumentation and Controls Regulatory Infrastructure"
Federal Register / Vol. 81, No. 61, [NRC-2016-0068]

ID	Section, Page, and Line #	Comment	Proposed Resolution
1	GENERAL	The term "modernize" is overused in the document to the extent that it goes beyond the document's purpose (i.e., "...modernize digital instrumentation and controls regulatory infrastructure") and uses the term to describe expected changes to industry consensus documents (i.e., "...IEEE 603 working group's effort to modernize the requirements.") This brings into question the intent of the entire document and level of ownership on the part of the Regulator to examine why current regulations have not changed in light of hundreds of industry consensus standards and guidance documents have been published and are already in use.	Apply the term "modernize" appropriately throughout the document, keeping it in the context of regulatory infrastructure.

Attachment 1 - FPL/NextEra Energy Comments on Draft Action Plan
"Integrated Action Plan To Modernize Digital Instrumentation and Controls Regulatory
Infrastructure" Federal Register / Vol. 81, No. 61, [NRC-2016-0068]

2	GENERAL	<p>It is not clear what is meant by the staff engaging, "...in public workshops and meetings with the relevant IEEE standards setting committee, licensees, vendors, and other external stakeholders to reach a common understanding..." and "The NRC staff participates in development of IEEE Std. 603." The concern here is the NRC continues to refer to the standards they are involved in as "industry consensus standards"; however, with more and more engagement on the part of the NRC and its intrusiveness in standards development and working group/committee participation, the industry consensus standards are being implicitly leveraged as Regulatory standards. The result is added "cumbersome and inefficient, and/or unpredictable" processes. Based on the Background discussion, this is what should be avoided.</p>	<p>The NRC should revisit the practice of direct involvement and implicit influence in the development/revision of "industry consensus standards" to ensure the outcome does not contribute to the problem attempting to be resolved by this Action Plan/</p>
3	DI&C Regulatory Challenges, Priorities, and Potential Solutions (Pages 6-11)	<p>In the twelve stated topical issues, four of the topical issues have no stated outcome. For the eight that have stated outcomes, none of the outcomes state an objective endpoint that reflects how the outcome meets the guiding principles stated under the Background section of the document. Of greatest interest is meeting the guiding principle that states, "NRC requirements and guidance should not pose an unnecessary impediment to advancement in nuclear applications of digital technology."</p>	<p>In order for each topical issue to be successful in meeting each principle, each issue must be approached with the end in mind. The end in mind should be based on what regulatory excellence looks like. Outcome certainty is necessary and should be stated explicitly. The industry does not have the available time or budget to support "bring me a rock" outcomes. Efforts coordinated by INPO under the title of "Nuclear Promise" clearly speak to this.</p>

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Federal Register / Vol. 81, No. 61, [NRC-2016-0068]

4	Pages 14-15	<p>Working Group 1:</p> <ul style="list-style-type: none">• There are actions with schedule dates of TBD.• Under Potential Regulatory Challenges and Policy Issues it states, "The proposed NEI approach to eliminate consideration of CCF through qualitative likelihood factors may <u>result in a delay in the resolution of this topic</u> [underline added for emphasis] due to the NRC review and resolution of the proposed NEI methodology." In response to the NRC comments received in November 2013 [letter to NEI (ML13298A787)], the industry has spent countless hours over a period of more than 2-years putting a comprehensive document together to address the CCF vulnerabilities. This was periodically briefed with the NRC during public and working meetings.	<ul style="list-style-type: none">• Dates should be specified.• The proposed NEI approach should be recognized as an accelerated opportunity (not a delay) to resolve this topical issue.
5	Page 17	<p>Working Group 2:</p> <ul style="list-style-type: none">• Proposed Action 6 appears out of place and should be placed more appropriately under Working Group 1 Action Plan	<ul style="list-style-type: none">• Relocate Proposed Action 6 to Working Group 1 Action Plan

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6	Page 21	<p>Working Group 3:</p> <ul style="list-style-type: none">Under <u>Status</u>, It is not clear what the purpose the following statement has on the execution or outcome of the working group, "The timeline for publishing the standard is set by the IEEE 10 year lifetime policy for a version of a standard before the standard automatically goes inactive. (In this case, the 2009 version must be revised by 2019 or the standard will go inactive.)" An IEEE policy should be of no consequence to the proposed actions or outcome of the working group. Recommend removing this statement.	<ul style="list-style-type: none">Recommend removing this statement
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