

REGULATORY INFORMATION DISTRIBUTION SYSTEM (RIDS)

ACCESSION NBR:9007180080 DOC.DATE: 90/06/29 NOTARIZED: NO DOCKET #
 FACIL:50-250. Turkey Point Plant, Unit 3, Florida Power and Light C 05000250
 50-251 Turkey Point Plant, Unit 4, Florida Power and Light C 05000251
 AUTH.NAME AUTHOR AFFILIATION
 BOHLKE,W.H. Florida Power & Light Co.
 RECIP.NAME RECIPIENT AFFILIATION
 CHILK,S.J. Office of the Secretary of the Commission

SUBJECT: Comment supporting petition for rulemaking PRM-50-55 re revs
 to FSAR,10CFR50.

DISTRIBUTION CODE: DS10D COPIES RECEIVED:LTR 1 ENCL 1 SIZE: 4
 TITLE: SECY/DSB Dist: Public Comment on Proposed Rule (PR)-10CFR

NOTES:

RECIPIENT ID CODE/NAME	COPIES LTTR ENCL	RECIPIENT ID CODE/NAME	COPIES LTTR ENCL
INTERNAL: ADM/FIPS/RPB	1 1	NMSS/IMOB	1 1
OGC/DR-15-B-18	1 1	OGC/SAIP15-B-18	1 1
<u>REG FILE</u> 01	1 1	RES DIR	1 1
EXTERNAL: NRC PDR 02	1 1		

TOTAL NUMBER OF COPIES REQUIRED: LTTR 7 ENCL 7

Er-4
 AA-4
 sub

DOCKETED
USNRC



FPL

'90 JUL -5 P4:32

OFFICE OF SECRETARY
DOCKETING & SERVICE
L-90-241 ANCH
JUNE 29 1990

Mr. Samuel J. Chilk
Secretary
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Attn: Docketing and Service Branch

Re: Notice of Receipt of Petition for Rulemaking
Revisions to Final Safety Analysis Reports, 10 CFR Part 50
55 Fed. Reg. 18608 - May 3, 1990
Request for Comments

Dear Mr. Chilk:

These comments are submitted by Florida Power & Light Company (FPL) in response to the request of the U. S. Nuclear Regulatory Commission (NRC) for comments on a petition for rulemaking concerning the frequency of Final Safety Analysis Report (FSAR) revisions under 10 CFR Part 50 (55 Fed. Reg 18608 - May 3, 1990).

FPL is an investor-owned utility serving over three (3) million customers in the State of Florida. FPL is a licensed operator of two nuclear power plant units in Dade County, Florida and two units in St. Lucie County, Florida.

In its petition, Yankee Atomic Electric Company seeks a change to the current requirements of 10 CFR 50.71(e)(4) that each licensee submit an annual revision to its FSAR. The petitioner requests that the regulation be modified to allow revision submittals within six months following completion of a licensee's planned refueling outage. FPL supports a change to 10 CFR 50.71(e)(4) and believes that significant benefits can be gained from the adoption of the petitioner's request.

The Nuclear Management and Resources Council, Inc. (NUMARC) has offered comments on the subject proposed rule. NUMARC recommends that the wording of the proposed rule change provide flexibility to permit a licensee to submit more frequent FSAR updates in lieu of post-outage revisions if desired. Further, NUMARC suggests that because of the number and complexity of modifications that may be accomplished in a refueling outage, it is recommended that the FSAR revision be submitted within nine months following an outage as

9007180080 900629
PDR PRM
50-55

PDR

DS10

Mr. Samuel J. Chilk
L-90-241
Page two

opposed to the six months requested by the petitioners. Accordingly, the following revised wording to 10 CFR 50.71(e)(4) is suggested by NUMARC:

Subsequent revisions shall be submitted no less frequently than nine months following the completion of a planned refueling outage and shall reflect all changes up to a maximum of six months prior to the date of filing. If two or more facilities share a common FSAR, and the licensee elects to revise that FSAR following refueling outages, the licensee shall designate the refueling outage schedule of one of the facilities to establish the schedule for revisions of the common FSAR.

FPL supports the NUMARC comments and revised wording to 10 CFR 50.71(e)(4).

In conclusion, FPL supports the petitioner's position that the requested change (as revised by NUMARC) to 10 CFR 50.71 would be beneficial to both the NRC and the industry. The resulting longer interval between FSAR updates would benefit many licensees by reducing the administrative costs associated with preparation of the FSAR updates. Additionally, NRC staff time for FSAR reviews would be similarly reduced.

FPL appreciates the opportunity to comment on the petition for rulemaking. We would welcome the opportunity to discuss our comments with the NRC staff.

Very truly yours,



W. H. Bohlke
Vice President
Nuclear Engineering and Licensing

Stephen B. Bram
Vice President

DOCKET NUMBER
PETITION RULE PRM 50-
(55 FR 18608)

(11)

Consolidated Edison Company of New York, Inc.
Indian Point Station
Broadway & Bleakley Avenue
Buchanan, NY 10511
Telephone (914) 737-8116

LOCKETED
USNRC

June 29, 1990
'90 JUL -5 P4:29

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

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

ATTENTION: Docketing and Service Branch

Subject: Notice of Receipt of Petition for Rulemaking
Regarding 10 CFR 50.71(e)(4)
Docket No. PRM-50-55
Request for Comments (55 Fed. Reg. 18608, May 3, 1990)

Dear Mr. Chilk:

On May 3, 1990 the Nuclear Regulatory Commission ("NRC") published in the Federal Register (55 Federal Register 18608) a request for comments on a petition for rulemaking concerning the frequency of Final Safety Analysis Report ("FSAR") revisions under 10 CFR Part 50. The requested rule change would provide that such revisions be filed no later than six months after completion of each refueling outage for the subject facility. Pursuant to the notice, Consolidated Edison Company of New York, Inc. ("Con Edison"), as holder of Operating License 50-247 for Indian Point Unit No. 2, is pleased to provide the following comments.

Con Edison supports the petition for rulemaking, believes it to be sound in its underlying logic and of substantive potential benefit to the NRC and the industry. In addition to its benefit in terms of reduced cost and resource requirements, experience has shown that the outage at the end of an operating cycle is the most likely time for significant plant changes to be implemented. The completion of such an outage is, therefore, a more natural demarcation point for plant changes to be included in the FSAR revision process and would have the added benefit of reducing the average time between implementation of such changes and documentation of those changes in the FSAR.

To take full advantage of the benefits that would result from this change, however, Con Edison wishes to point out the need for concurrent changes to 10 CFR 50.59(b). That section currently requires a similar reporting of plant changes on an annual basis. Without a concurrent change to an operating cycle frequency for reporting under this section, a disconnect would evolve which could detract from and diminish the advantages of the change being sought.

DS10

Mr. Samuel J. Chilk

-2-

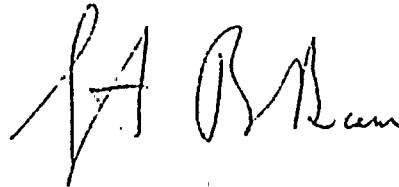
June 29, 1990

In addition, 10 CFR 50.71(e)(2) requires that FSAR submittals include identification of changes made under 10 CFR 50.59 but not previously submitted to the NRC. With non-coextensive submittal frequencies, the probability of having to provide additional reporting under 10 CFR 50.71(e)(2) would increase as would the administrative burden associated with tracking to assure compliance with that requirement.

Con Edison is also a member of the Nuclear Management and Resources Council, Inc. ("NUMARC") and fully supports the comments being provided separately by NUMARC regarding this petition.

Notwithstanding the additional changes recommended in our above comments, we wish once again to state our support for the petition. We hope that the above comments enhance the potential benefit to be derived from any proposed rule change. We appreciate the opportunity to comment and would be pleased to discuss our comments further.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'F. A. Buchanan', is written over the closing. The signature is fluid and cursive, with the first name 'F. A.' being more distinct than the last name 'Buchanan'.

cc: Senior Resident Inspector
U.S. Nuclear Regulatory Commission
Post Office Box 38
Buchanan, New York 10511

