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Harry P. Salmon, Jr.
Vice President Engineering

June 14, 2000
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Rules and Directives Branch
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Subject: James A. FitzPatrick Nuclear Power Plant
Docket No. 50-333
Indian Point 3 Nuclear Power Plant
Docket No. 50-286
**Comments on NRC Draft Regulatory Guide
DG-1095 "Guidance for Implementation of
10 CFR 50.59, 'Changes, Tests, and Experiments'"**

References: See below.

Dear Sir:

This letter is in response to the NRC's request for comment on draft Regulatory Guide DG-1095 "Guidance for Implementation of 10 CFR 50.59, 'Changes, Tests, and Experiments'" (Reference 1). The New York Power Authority supports and endorses the comments prepared and submitted by the Nuclear Energy Institute (NEI) (Reference 2) on behalf of commercial power reactors regarding this issue. The Authority plans to rely heavily on NEI 96-07, which is endorsed by the regulatory guide, in our implementation of the revised rule.

In their cover letter, NEI suggested that the NRC more formally address issues associated with the transition from the current rule to the revised rule. The Authority agrees. Similar questions came up during the Authority's initial efforts to develop procedures to implement the new rule. Licensees like the Authority would benefit if the NRC would address the transition-related issues identified by NEI - either in the regulatory guide, or in some other NRC policy document.

Template: ADM-013

E-RIDS = ADM-03
ADD = E. McKenna
(EMM)

There are no commitments made by the Authority in this letter. If you have any questions, please contact Ms. C. Faison.

Very truly yours,



Harry P. Salmon, Jr.
Vice President Nuclear Engineering

References:

1. April 25, 2000 Federal Register Notice (p. 24231-24232) "Nuclear Regulatory Commission - Draft Regulatory Guide; Issuance, Availability."
2. NEI letter, A. R. Pietrangelo to USNRC dated June 8, 2000 regarding Industry Comments and Draft Regulatory Guide 1095, "Guidance for Implementation of 10 CFR 50.59, 'Changes, Tests, and Experiments'" (65 Fed. Reg. 24231 - April 25, 2000).

cc: Regional Administrator
U.S. Nuclear Regulatory Commission
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