



**Florida Power**  
 CORPORATION  
 Crystal River Unit 3  
 Docket No. 50-302  
 Operating License No. DPR-72

65 FR 6399  
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April 20, 2000  
 3F0400-14

Chief, Rules and Directives Branch  
 Division of Administrative Services  
 Office of Administration, Mail Stop: T-6 D59  
 U.S. Nuclear Regulatory Commission  
 Washington, DC 20555-0001

Subject: Comments on the Allegations Program Under the New Regulatory Oversight Program  
 (65 FR 6399-6401; February 9, 2000)

Dear Sir:

Florida Power Corporation (FPC) appreciates the opportunity to provide comments on the Allegations Program under the new Regulatory Oversight Program.

FPC endorses the comments on the Allegations Program provided by the Nuclear Energy Institute (NEI), by letter dated April 10, 2000, on the industry's behalf. FPC would also like to provide an additional comment to those already submitted.

SECY 99-273, Option 3, states that all allegations received by the NRC would be evaluated through the Significance Determination Process (SDP) in order to determine the risk significance of the allegation. A scenario not fully explored in SECY 99-273, is the case of an individual who submits an allegation of a technical issue evaluated by the SDP to be of little or no risk significance. The individual may have already identified the issue to the licensee for resolution, but based on the licensee's action(s), has decided to exercise his or her right to raise the issue to the NRC.

Option 3 further states that, "Issues with little risk significance (Green) will be referred to the licensee for review and inclusion in the corrective action program, if appropriate." In the scenario outlined above, referral of the issue to a licensee corrective action program (CAP) may raise the fear of retaliation in the allegor. He or she may feel that their identity would be compromised once the allegation is referred to the licensee's CAP due to their previous association with the issue. This option does not effectively address the identity protection issue in instances in which the allegor had previously raised the same concerns with the licensee. Another alternative would be to give the allegor or the utility the option to have the allegation placed in the Employee Concerns Program (ECP) instead of CAP. The ECP offers greater confidentiality than CAP and may afford better protection for the rights and identity of the allegor.

If you have any questions regarding this submittal, please contact Mr. Sid Powell, Manager, Nuclear Licensing at (352) 563-4883.

Sincerely,

*Sherry L Bernhoft*

S. L. Bernhoft  
 Director, Nuclear Regulatory Affairs

SLB/VAH/ff

xc: Regional Administrator, Region II  
 NRR Project Manager

Senior Resident Inspector  
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 Ed Baker (ETB) ---