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DOCKET NUMBER
PROPOSED RULE Chapter 1
(67 FR 57084)

L-2002-207
10 CFR 1
OCT. - 9 2002

Secretary, U. S. Nuclear Regulatory Commission
Attn: Rulemakings and Adjudications Staff
Washington, DC 20555-0001

DOCKETED
USNRC

October 11, 2002 (3:11PM)

Re: Florida Power & Light Company Comments
Electronic Maintenance and Submission of Information
67 Fed Reg. 57084 and 57120 (Sept. 6, 2002)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Florida Power & Light Company (FPL), the owner and operator of the St. Lucie Nuclear Plant, Units 1 and 2, and the Turkey Point Nuclear Plant, Units 3 and 4, hereby submits the following comments on the above-referenced notice of proposed rulemaking and direct final rule.

FPL commends the NRC for it's forward-looking steps toward modernizing the processes of electronic information maintenance and submission. FPL fully supports any efforts to make more effective our processes for transmitting information. FPL has reviewed the Proposed Rule including Appendix A, Guidance for Electronic Submission to the Commission. Each of the requirements appear reasonable except section 4.0 of the guidance document, which requires that CD-ROM submissions of documents must be accompanied by one paper copy as well.

In January 2001, the NRC issued Regulatory Issues Summary (RIS) 2001-05, Guidance on Submitting Documents to the NRC by Electronic Information Exchange or on CD-ROM. This document contained explicit language addressing this subject — electronic submittals need not be accompanied by a paper copy. FPL believes this rule will cause additional unnecessary burden on licensees.

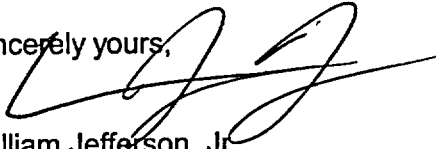
FPL, Turkey Point internally maintains a "living UFSAR" which is revised on real-time bases as changes occur. In addition, the site maintains a CD-ROM version specifically for the 10 CFR50.71 updates to the NRC. The site does not currently maintain any controlled hard copy versions; all focus is on the two electronic versions. FPL would have to re-institute another (third) control system to maintain a hard copy for the NRC. Section 4.3.3 of the proposed rule requires that large, living documents be submitted on a "total-replacement" basis. This is a relatively simple and efficient task when submitting electronically; however, for hard copy submission as stated above, this will involve a significant effort. Additionally, section 4.3.3 does not appear consistent with 10CFR72.248, "Safety analysis report updating," which allows continued submission of page-replacement updates.

To date, FPL has submitted two Updated Final Safety Analysis Report revisions on CD-ROM for Turkey Point Units 3 and 4 following the guidance in RIS 2001-05. In the first of these submittals, FPL made the statement that the CD-ROM submittal of the complete FSAR will make obsolete all previous hard copies of the document. It was requested that the NRC destroys or returns the obsolete copies. After two CD-ROM submittals in accordance with RIS 2001-05, FPL believes that the NRC no longer has these hard copies, or if maintained, contains out of date information. Re-establishing a valid library of hard copies for the NRC would require a significant effort.

FPL recommends that the direct final rule be withdrawn until further consideration of this issue and that an analysis be performed to determine the additional burden created by this rule.

Should you have any questions, please contact Jim Reed at Turkey Point (305) 246-6903.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'WJ', written over the words 'Sincerely yours,'.

William Jefferson, Jr.
Vice President,
Nuclear Operations Support