

From: "Scott Amey" <scott@pogo.org>
To: <nrcprep@nrc.gov>
Date: Tue, Dec 2, 2003 2:30 PM
Subject: Extension of Public Comment Period

R.D. Dudley
10/2/03
305 pm
(signature)

December 2, 2003

Chief, Rules & Directives Branch
Division of Administrative Services
Office of Administration
U.S. Nuclear Regulatory Commission
Mail Stop T6-D59
Washington, D.C. 20555-0001

11/26/03
68 FR 66501
(25)

Via E-Mail: nrcprep@nrc.gov

To Whom It May Concern,

The Project On Government Oversight ("POGO") requests a 30-day extension to the announced comment period for draft criteria published in the Federal Register [November 26, 2003, Vol. 68, No. 228, Page 66501-66503] with regard to "Draft Criteria for Determining Feasibility of Manual Actions to Achieve Post-Fire Safe Shutdown." The proposed regulation would codify currently noncompliant operator manual actions and forgive long standing and widespread fire protection violations at U.S. nuclear power stations.

POGO requests that the public comment period be extended, allowing a 60-day period to review the draft interim criteria to be used by the agency for the issuance of Notices of Enforcement Discretion to nuclear power station operators who are in noncompliance with Code of Federal Regulation Chapter 10 Part 50 ("10 CFR 50") Appendix R Subpart III.G.2. 10 CFR 50 governs the protection of instrumentation, power, and control electrical cables used for the safe shutdown of nuclear power stations in the event of fire. Subpart III.G.2 is a prescriptive requirement for protecting instrumentation, control and power cable trays and conduits used in systems to shut down the reactor in the event of fire. The regulation requires licensees to protect this shutdown equipment by: 1) separation of redundant cable trays by 20 feet with no intervening combustibles; 2) an operable three-hour rated fire barrier; and 3) an operable one-hour rated fire barrier used in conjunction with sprinkler and smoke detector systems.

POGO has followed this issue since the mid-1990's and, in its report "Who the Hell is Regulating Whom," discussed the combustibility of Thermo-Lag 330, an "inoperable" fire barrier, and the ineffectiveness of continuous fire watch patrols, the NRC's compensatory fix. Based on the importance nature of fire safety at nuclear power stations and attempts to ensure that power stations are in full compliance with all fire protection regulations, POGO respectfully requests that the NRC extend the comment period to 60 days so that POGO, the public, and others have an ample opportunity to provided well-researched comment on the proposed draft criteria.

Sincerely,

<Original signed by>

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