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September 15, 2005

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

RULES AND DIRECTIVES
BRANCH
USNRC

7/25/05
70FR 42596

2005 SEP 22 AM 9:09

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SUBJECT: Comments on Proposed Generic Communication: *Impact of Potentially Degraded Hemyc and Mt Fire Barriers on Compliance With Approved Fire Protection Programs* (70 FR 42596, July 25, 2005)

Progress Energy is submitting the following comments related to the subject Federal Register Notice (FRN).

1. Prior to the issuance of this Generic Letter (GL), the Nuclear Regulatory Commission (NRC) should review the Hemyc users' group test that was performed in August 2005. The results of that testing could have an impact on the application of some or all of the GL.
2. The FRN states that the NRC expects all licensees to fully restore compliance with 10 CFR 50.48, and submit the required documentation to the NRC, by December 1, 2007. For some plants that have a significant amount of Hemyc, the amount of additional testing, evaluation of test results, design of modifications, and installation of modifications may make the December 1, 2007 date unduly burdensome. The GL should provide some discussion about criteria for allowing licensees to achieve full compliance beyond December 1, 2007.
3. If a licensee commits to NFPA 805, compliance may be achieved under 10 CFR 50.48(c). With the proffered enforcement discretion, the compliance date should be coordinated with the transition plans of affected licensees. The FRN offered no consideration of this situation.

Please contact me at (919) 546-4579 if you have any questions.

Sincerely,

Brian McCabe
Supervisor - Corporate Regulatory Affairs

BM/kmh

SFSP Review Complete
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