



GULF STATES UTILITIES COMPANY

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PROPOSED RULE

PR 50

(45)

(45 FR 36082)

Secretary of the Commission
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

ATTN: Docketing & Service Branch

Dear Sir:

Proposed Appendix R to 10CFR 50
"Fire Protection Program for Nuclear Power
Plants Operating Prior to January 1, 1979"



Gulf States Utilities Company, owner of the River Bend Station presently under construction, offers the following comments with regard to the proposed Appendix R to 10CFR Part 50 published in the Federal Register (45 Fed. Reg. 36802) on May 29, 1980.

First, the proposed Appendix R is too specific for the purpose of a regulation. A regulation is intended to provide a policy or statement of position, thus allowing the licensee to provide the detailed design, system components and implementing procedures based on regulatory guides and other staff input. For example, Section I, "Fire Brigade Training", appears to be a lesson plan outline.

Second, the implementation schedule denoted for operating plants is believed unrealistic when considering the plant unique designs and the potential for modifying these designs. Also, if operational plants have to shut down due to their inability to meet the implementation date of this rule, it will increase the use of imported oil, gas and coal. This would result in a substantial economic impact on the affected Utilities, the consumers of electrical power and would not be in the best interest of our national security and policy on reducing the importation of oil. Gulf States Utilities firmly supports the portions of the separate comments of Commissioners Hendrie and Kennedy in regards to the implementation schedule.

The third comment deals with the statement under Supplementary Information:

The position of the staff and licensees regarding the provisions of this rule is documented and well known. In addition, the public has been afforded several opportunities

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to comment on the provisions of the rule and in open meetings with the ACRS in which a regulatory guide on fire protection was considered.

While the provisions of rules are supposedly well known and previously discussed, new requirements, not found in previous regulatory guidance, appear in this proposed rule. Two (2) examples of these are (1) that for seismic design of the reactor lubrication oil collection system, the automatic and manual fire protection system, or of the lube oil systems components themselves and (2) the section dealing with associated circuits.

One other area which requires comment is that all previously issued regulatory guidance states that fires need not be postulated to be concurrent with non-fire-related failures in other systems, other plant accidents or the most severe natural phenomena, this proposed rule does not contain that definition and needs to be clarified to be consistent.

Gulf States Utilities would welcome the opportunity to participate in any public forum for discussion on these issues. We feel that it would be prudent for the Commission to republish this notice and hold public hearings as this proposed rule does, in fact, contain new requirements not previously addressed. Thank you for recognizing these comments.

Sincerely,

E. L. Draper by JEB

E. L. Draper
Vice President - Technology

ELD/JEB/WJR/mb