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December 21, 1990
NL90-0115

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

Attention: Docketing and Service Branch

Subject: Comments on Emergency Response Data Systems Proposed Rule

Florida Power Corporation (FPC) recognizes the importance of providing timely and accurate information to the NRC during emergencies. In support of this, FPC agreed in February 1990 to voluntarily participate in the Emergency Response Data System (ERDS) program as requested in Generic Letter 90-15. However, the issuance of a rule mandating participation goes beyond what is necessary and reasonable in support of emergency preparedness for nuclear power plants. Therefore, FPC is opposed to the implementation of the proposed rule on ERDS.

The basis and regulatory analysis of the proposed rule fails to adequately justify the cost for the ERDS program in light of its regulatory benefit. Whereas there is little doubt that the program will provide enhanced data acquisition capabilities for the NRC, there is serious doubt that this system will substantially increase the level of protection to the health and safety of the public. There is also serious doubt that the program will improve licensee's performance and resource allocation during an emergency. Examples of concerns associated with the justification and implementation of the proposed rule are provided below.

The regulatory analysis credits the adoption of the proposed rule with "...an unquantifiable but substantial increase in the level of protection to the health and safety of the public." One of the principle benefits supporting this "substantial increase" is the improved media awareness of NRC's oversight status. FPC is concerned that the NRC's use of the ERDS data to aid in "...keeping the media informed of NRC's knowledge of the status of the event..." will result in media and public confusion since the dissemination of information will be from two widely separated sources, the site and the NRC Operations Center. The requirements for emergency response facilities promulgated in the early 1980's included an Emergency News Center (Joint Information Center) to be used as the single source of emergency information. The proposed rule appears to be in conflict with the earlier regulatory position on Emergency News Centers.

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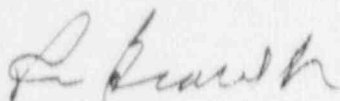
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The regulatory analysis for the proposed rule also states that codifying the ERDS program would result in a net positive benefit to the licensee during an emergency by significantly easing the burden on Control Room operators. It has been our experience during routine event notifications and emergency exercises that the transmission of plant parameters to the NRC will likely generate more questions and require more verbal explanation than would be eliminated by ERDS. The review of rapidly changing plant parameters by observers in the NRC Operations Center will provoke more detailed questions requiring additional operator time to answer concerning the interpretation of data, operational decisions, and corrective actions, thus distracting emergency response personnel from their primary function.

The proposed implementation date of eighteen months following the effective date of the final rule does not provide adequate flexibility for all utilities to install the proposed system. Crystal River Unit 3 is in the process of developing an upgrade to its plant computer system which would incorporate the ERDS program needs. The scheduled installation of this system may not be able to be accomplished within the proposed eighteen month time frame. Any scheduler requirements must provide for flexibility in the implementation of the ERDS program since development of hardware and software to support ERDS does involve a substantial resource burden. The proposed rule exempts those utilities who have operational systems under the voluntary program, but it is unclear what effect the rule will have on utilities who volunteered for the program but have not begun the implementation phase. Costs for implementation of the ERDS program may be substantially higher if an accelerated implementation schedule is enforced.

In summary, Florida Power Corporation is continuing to work toward implementation of the ERDS based on our voluntary participation agreement. Nevertheless, we consider the proposed rulemaking to be insufficiently justified and unnecessary, and therefore oppose its implementation.

Sincerely,



P.M. Beard, Jr.
Senior Vice President
Nuclear Operations

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